Demand for Establishment of a Yoga University in the Country

श्री राम चन्द्र विकल (उत्तर प्रदेश) : महोदया, मैं आपका आभारी हूं कि आपने मुझे बोलने का मौका दिया । योग विश्वविद्यालय दिल्ली या देश के किसी हिस्से में कायम किया जाये, इसकी तरफ मैं मानव संसाधन विकास मंत्री का ध्यान दिलाना चाहता हूं ।

योग वह देन है जिसकी जिज्ञासा सारी दुनिया में है । विश्व शांति में योग का बहुत बड़ा भाग रहा है । आज जब कराहती हुई मानवता हिंसा, घृणा और हथियारों की होड़ में लगी हुई है तो विश्व शांति में चाहे नेहरू जी के पंचशील के सिद्धांत रहे हों, चाहे महावीर स्वामी की अहिंसा रही हो, चाहे गौतम के सिद्धान्त रहे हों या जितने भी धार्मिक गुरू रहे हैं, चाहे नानक हों, कबीर हों, सभी की धारणा वसुधैव कुटुम्बकम् की रही है । इसलिए योग के लिए मानव संसाधन विकास मंत्री एक कमेटी मुकर्रर करें और दिल्ली या दिल्ली के बाहर देश के किसी भी हिस्से में एक योग यूनिवर्सिटी कायम कर दें । तो आज जो हथियारों की होड़ चल रही है वह योग के द्वारा दूर की जा सकती है । योग के आठ अंग हैं जिनकी आवश्यकता हर मानव को होती है । योग मन, बुद्धि और शरीर को ठीक करने का नाम है । योग के यम, नियम, आसन, प्रत्याहार, प्राणायाम, धारणा, ध्यान और समाधि, ये आठ अंग हैं ।

आज दुनिया का हर मुल्क, हर इंसान चाहे वह किसी भी मजहब का हो या किसी भी मुल्क का हो, वह दुनिया में अमन और शांति चाहता है । इसके लिये दुनिया का हर आदमी भारत की तरफ देख रहा है । वह सोचता है कि अगर कोई अमन की चिंगारी उठ सकती है, अगर शांति की कोई चिंगारी उठ सकती है तो वह भारत से उठ सकती है । इसलिये वह भारत की तरफ देख रहा है । इसलिये मैं चाहता हूं कि एक योग यूनिवर्सिटी भारत में कायम हो । इसकी तरफ मैं माननीय मानव संसाधन मंत्री जी का ध्यान दिलाते हुए मैं उनसे अनुरोध करता हूं कि वे दोनों सदनों के सदस्यों की एक कमेटी बनायें जो इसकी जांच करे और जांच करने के बाद वह कमेटी किसी जगह को सुझाये जहां कि यह युनिवर्सिटी खुल सके और योग के द्वारा दुनिया में शांति स्थापित करने की दिशा में यह यूनिवर्सिटी काम करे जो कि हमारे देश के महापुरुषों का उद्देश्य रहा है । मैं आपका आभारी हूं जो आपने मुझे बोलने का अवसर दिया ।

NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES (AMENDMENT) BILL, 1988

THE MINISTER OF STATE IN THE DEPARTMENT OF REVENUE IN THE MINISTRY OF FINANCE (SHRI AJIT PANJA): Madam, I move:

"That the Bill to amend the Narcotic Drugs and Psychotropic Substances Act, 1985 as passed by the Lok Sabha, be taken into consideration."

Madam, as the Hon'ble Members are aware, India has been facing the problem of transit traffic in illicit drugs which has been escalating in recent times. The spillover from such traffic has been causing problems of abuse and addiction. There have been indications that this trend has created an illicit demand for drugs and that this may lead to increased diversion of opium from legitimate growing areas of opium poppy.

Government being concerned with the developing drug situation have taken a number of legislative, administrative and preventive measures have resulted in checking the transit traffic to a considerable extent. However, increased internal drug traffic, diversion of opium from illicit growing areas and attempt of illicit manufacture of drugs within the country threaten to undermine the effects of the counter measures taken. Further, drug traffickers often succeed in obtaining bail on minor technical grounds enabling them to continue their illicit activities.

Keeping in mind the magnitude of the threat from drug trafficking from the Golden Crescent region comprising Pakistan, Afghanistan and Iran and the Golden Triangle region comprising Burma, Thailand and Laos and having regard to the internal situation, the Prime Minister gave a 14 point directive on April 8, 1988 as a new initiative to combat drug trafficking and drug abuse. The Prime Minister also constituted a Cabinet Sub-Committee under the Home Minister to oversee and coordinate working of different Ministries and steps taken to intensify the fight against drug abuse and trafficking. The Cabinet Sub-Committee felt the need for enactment of a preventive detention law for drug traffickers for supplementing the deterrent penal provisions of the Narcotic Drugs and Psychotropic Substances Act, 1985. Accordingly, the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988 was enacted and brought into force in August, 1988. The Cabinet Sub-Committee also recommended that the Narcotic Drugs and Psychotropic Substances Act, 1985 may be suitably amended to, *inter alia*, provide for:—

(i) Making drug offences non-bailable;

(ii) forfeiture of property of drug traffickers;

(iii) procedure for pre-trial disposal of seized drugs;

(iv) not applying any privilege or remission to the punishments awarded under the Act;

(v) provision for death penalty for the serious drug offences;

(vi) enhanced punishment for officers abetting drug trafficking and for others incharge of custody of patients (addicts, under trial prisoners, prisoners) etc.

(vii) to exempt drug addicts, once in their life time who volunteer for de-addiction treatment.

Madam, the present Bill before the House, not only seeks to encompass the aforesaid areas but also seeks to remove certain difficulties faced in the enforcement of the Parent Act in the last three years and strengthen the Act further. The suggestions made by the Hon'ble Members during the course of Debate in the House on the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Bill 1988, have also been given due consideration.

It is the experience of Law enforcement agencies throughout the world that unless the ill-gotten wealth generated by drug and drug-related crimes is attacked by tracing, freezing and forfeiture of such... assets, no amount of law enforcement effects would make any tangible dent on illicit drug situation. Attack on the ill-gotten wealth of the drug traffickers would be like going for the juglar vein of their activities.

A new Convention which, *inter alia* provides for tracing, identification, freezing, seizure and forfeiture of properties related to drug crimes, has been, for the last three years, under negotiation and the same is going to be adopted by a Plenipotentiary Conference of the United Nations, now being held in Vienna from 25th November till today.

the present Bill contains a separat chapter V-A on forfeiture of property derived from or used in illicit traffic. This chapter, *inter alia*, prohibits holding of illegally acquired property which has been defined as property acquired from illicit traffic in Narcotic Drugs and Psychotropic Substances. It also provides for identifying, seizure or freezing of illegally acquired property. It further provides for setting up of offices of Competent Authority to deal with all aspects relating to forfeiture; to appoint officers as Administrators for the management of properties seized or forfeited and an Appellate Tribunal for such property.

The other salient features of the Amendment Bill are as follows:—

(i) to provide for the constitution of a Fund for control of drug abuse and its governing body. The Fund is to be financed by such amounts as may be provided by the Parliament, the sale proceeds of any property forfeited under the Act and any grants that may be made by any person or institution etc.

(ii) to provide for death penalty on second conviction in respect of specified offences involving specified quantities of certain drugs;

(iii) to provide that no sentence awarded under the Act, other than section 27, should be suspended, remitted or commuted;

(iv) to provide for constitution of Special Courts;

(v) to provide that every offence punishable under the Act shall be cognizable and non-bailable;

(vi) to provide immunity from prosecution to the addict volunteering for treatment for de-addiction or de-toxification once in his life time.

(vii) to bring certain substances which are neither narcotic drugs nor psychotropic substances but are used in the manufacture or production of these drugs or substances, under the ambit of the Act. Such controlled substances would be regulated by issue of order;

(viii) violation of the provisions relating to the controlled substances would be liable for punishment with rigorous imprisonment for a term which may extend to 10 years and fine which may extend to Rs. 1 lakh.

(ix) financing illicit traffic and harbouring drug offenders would be offences liable to punishment at the same level as per drug traffic offences.

Illicit trafficking in narcotic drugs and psychotropic substances transcends all national jurisdictions. In order to evolve effective action against drug abuse, illicit production and trafficking, it is, therefore, necessary to develop bilateral, regional and international instruments of co-operation.

India has been a member of the United Nations Commission on Narcotic Drugs, a functional Commission of the Economic and Social Council since its inception in 1946. We have been actively participating in the meeting of the Heads of National Drug Law Enforcement Agencies of the Far East region; a forum in which information is exchanged amongst the countries of the region. In view of the fact that India is facing a serious problem of transit traffic in drugs, from the Golden Crescent region, we have been included in the United Nations Sub-Commission on Illicit Traffic and Related Matters for the Near and Middle East.

In addition, India has entered into *Bilateral Agreements* with Pakistan, Nepal and Sri Lanka. Further, the fight against drug trafficking and prevention of drug abuse has been identified as an area of co-operation under the aegis of SAARC. India is lending its support and participating very actively in various international Fora like the Sessions of the U.N. Commission on Narcotic Drugs, Sessions of the Third Committee of the United Nations General Assembly etc. India has sent a strong Delegation to the Plenipotentiary Conference of the United Nations Meeting in Vienna to finalise the International Convention against illicit traffic in narcotic drugs and psychotropic substances. In fact, the Hon'ble Members may be glad to know that India has been unanimously elected as Chairman of the Drafting Committee for this Convention.

Our Government firmly believes that the scourge of drug abuse should be wiped out and that any compla-

[Shri Ajit Panja]

cency in the fight against drug trafficking would adversely affect the well being of the society. This August House has been lending its full support to the Government in its fight against the drug menace and I am sure that this legislation also would meet with the full approval of the House.

When this Bill was discussed in the Lok Sabha, all sections of the House, irrespective of party affiliation, have unanimously supported the provisions of this Bill.

I request the Hon'ble Members to give their wholehearted support to the NDPS (Amendment) Bill, so that the hands of the Government and the law enforcement agencies are strengthened to fight the drug menace, I move.

The question was proposed.

SHRI KAMAL MORARKA (Rajasthan): Madam Deputy Chairman, I rise to support the Narcotic Drugs and Psychotropic Substances (Amendment) Bill, 1988. As the Minister has said just now this Bill also received unanimous support in the other House. In the last session also a Bill was brought to amend certain provisions of the original Act and we could not participate in the debate because we had boycotted the House for the Defamation Bill. I had a lot of points to suggest at that time and I take this opportunity to share my concern with the Minister. This basic Act empowers the Government and the authorities to deal with drug traffickers and smugglers. The specific point which I want the Minister to note is that the problem in these drugs is not only of legal provisions of the powers of the Government but the problem is of implementation and it is a very, very difficult task.

THE DEPUTY CHAIRMAN: "In this Bill," you mean, but you have said "in these drugs."

SHRI KAMAL MORARKA: In this Bill, yes. Bombay has 300,000 drug addicts on a very conservative estimate. Going by popular belief or TV serials or other media, we feel as if some of rich families go into drug addiction. But the fact is that slum dwellers and the poorest of the poor are the most affected lot in Bombay. Drug trafficking is a problem far more serious than, let us say, gold smuggling or smuggling of other things for which you have customs and other agencies. It is serious because this is one single product in which the addict becomes a carrier. I have got figures with me for the last year. There have been 21,000 arrests under the Act and the convictions have been only about 1800. Most of the convictions even out of those 1800 are people who are caught with 2 gms., 5 gms. and 10 gms. of the substance. They were addicts. I want a specific assurance from the Minister that while implementing this Act there has to be a clear demarcation between an addict who is found with a drug and a smuggler or a dealer who is found with a drug. Now, this is a very very fine distinction but a very important one from the human point of view because the person who is arrested if he is caught with 5 gms. of the substance is an addict, he is a patient, he needs our sympathy, he needs very very special treatment. Putting him in the jail will not solve any problem. Unfortunately, as the law is being implemented today, it is the addict, the poor child who has become an unfortunate victim of this problem, he is caught and put in jail. The real big drug smugglers, the cartels who are dealing with these substances across the border are still enjoying themselves, increasing their business, using India as a transit point and their business is flourishing day by day. So, the first distinction which I want to make and which is very very peculiar only to this problem is that most of the so-called offenders are not offenders. They are victims and there is no law in the world where I have heard that a

5 P.M.

tim or a patient is punished. By this law, as is being implemented by our enforcement agencies, we are punishing the victims. We are not punishing the offenders.

On the danger of drugs, I do not want to say much except that I totally shre the concern of thae Minister. It is one thing which if it goes unchecked, can emasculate a whole generation of India. The problem is devastating America. It is devastating the West. There is no reason why we cannot stop it here. India is a country where we have had a tradition of many substances which people used to take like Bhang or even opium or various other forms of medicines or addiction, but in this technologically developing age, unfortunately there are chemical substances, which when reaching with these traditional substances become lethal. One may well ask how is this addiction different from alcohol addiction or opium addiction? There is one fundamental difference which we must understand. Alcohol addiction is a mental addiction. This is a physical addiction. Once a child takes to drugs, his body needs drugs. He cannot get out of drugs. So, it has to be a three-pronged attack. One is about your border and tracking down of smugglers. The other is the isolation of the addicts and the third is the prevention of new people getting into addiction. I am again emphasizing as the law is being implemented today, there is hardly any distinction between an offender who is making money on drugs and an offender who is an unfortunate victim of circumstances. Out of the list of three hundred thousand unfortunate citizens of the city of Bombay what is happening to them? They are still at the mercy of these drug traffickers. One day, some of them will be arrested, they will be put in jail; and they will add to the list of 21,000 The Minister will have the statistics. Out of the 1800 people who have been convicted by courts I would like to know specifically because in this Bill, you have a very good table, which I liked, table on page 5 in which you have mentioned the quantity and that only if people are caught with quantities above this, they will be subjected to death penalty. This is a very very important demarcation because this will indicate that this is not for his own consumption, this is for trafficking. Now, out of 1800 convictions that have taken place, it will be interesting to know, how many of them have been convicted for quantities above this. I may humbly submit, it will be negligible. Most of those convictions are for quantities far less than this, indicating that those people who have been convicted are addicts, they must be lying in some jail, they will become mad if they are not treated properly, if they are not isolated properly, if they are not given the motivation and ultimately, we will lose them as citizens of India. So, a blanket enforcement of this law can be very very dangerous. This is the first point I want to make. The other point I want to make is about drugs which are seized. It should be burnt. In this Bill, I am happy to say that in the Statement of Objects and Reasons, they have mentioned pre-disposal of the drugs before the trial. Now, what we have been experiencing, not experiencing but we know from usually authoritative sources, is that the drugs which are seized are getting recycled in the market. Now, the profit margin in these drugs is far more than in the smuggling of gold or any other thing. Our socio-economic conditions being what they are, it is not possible to keep the temptation of the forces dealing with this at pay. The Minister must pay special attention to see that whatever drugs are seized, are destroyed under the supervision of the Narcotics Control Bureau. Again, since this item is such that the profitability is high and the quantity is so small that it can be easily smuggled and worse still, there are people who can consume it unless the Narcotics Control Bureau is manned by people

[Shri Kamal Morarka]

of unimpeachable integrity it will be impossible for you to implement this Act. I believe recently there has been a change at the helm of the Narcotics Control Bureau. Mr. B V. Kumar who was, I think, the first chief, had been doing exemplary work in this particular field. It is up to the Government. They must have given him other responsibilities and appointed somebody else. I want to bring it to the attention of the Minister that the person heading the Narcotics Control Bureau will have to be a person dedicated to the cause of prevention of drug abuse. It is some sort of national commitment that one must have. It is not a mere economic matter like stopping gold smuggling or watch or transistor smuggling. This is a product or an item which can affect the health not only of this generation but so many future generations to come. Unless you put officers of unimpeachable integrity, this Act will not be able to help you.

The other problem is of having a narcotics cell at least at important places like Bombay, Calcutta and other metropolitan cities. Within the police forces of these state Governments you must have a narcotics cell which again must contain hand-picked people who will not fool around with the seizure and destruction of the material. Now, I again emphasise the efficiency of the police force. After all, it remains what it is. As far as these drugs are concerned, you should have specific people earmarked, and do not transfer them. You must have people who are specialised in this subject. You please send them abroad for training. They must know how to deal with this problem and they should directly report to the Narcotics Control Bureau in Delhi.

The other aspect is of substances. Unless you control acetic anhydride, you will not be able to control narcotics. That is one item which helps to convert your traditional poppy and other things into this lethal material. There has to be strict Government control and monitoring over the production, distribution and sale of acetic anhydride. I do not find any specific work being done in that direction. I would like the Minister's clarification whether acetic anhydride will now be covered by the Act.

SHRI AJIT PANJA: It has already been covered.

SHRI KAMAL MORARKA: I would like the industrial licensing and the future production of the item to be specifically monitored. This is a new development. Ten years ago it was not necessary to do that. But now, acetic anhydride has to be closely monitored. It might be produced for any other industrial purpose. But it must not find its way onto the drug-traffickers' dens. Another point I would like to mention is about the change of regime in Burma. It is a major development as far as drug-trafficking is concerned. The previous dictatorial regime of General Ne win was coming down heavily on drug-trafficking. Intelligence sources might know it, with the change of regime and with the confusion there, the cultivation of poppy has gone up three-fold in Burma overnight. Where is that material going to go? It is going to come to India. We have to be very careful and the patrolling of our border on the eastern front will have to be very very strict. Unless we are able to prevent these new productions from coming into India, our problems will be three-fold more than what they have already been.

There is a provision now for the creation of a national fund for the control of drug abuse. I do not know what is going to be the monitoring or the working of the fund. But I have a suggestion or two to make. One of them is, voluntary agencies play a very important role in education and prevention of drug abuse. I would like the Minister to consider whether

his national fund will also in turn create cells in different cities or also fund voluntary agencies to spread awareness among the citizens of the dangers of drug abuse and to see that more younsters do not get into this. Four of the Objects and reasons are for stricter penalty-death penalty, forfeiture of property, etc. etc. I whole heartedly support the measure. But we must also be very clear. Many years ago we passed a similar measure for smugglers— COFEPOSA— which talks of forfeiture of smuggled property. I am not sharing any secret with you when I say that the smugglers' property, if anything, has gone up further. Forfeiture have been minimal. Even where forfeiture has been done by the Government, finally the courts have struck them down, because it is not possible to conclusively prove what property is bought from which money. I do not know how you are going to forfeit the property. It is a very wide ranging provision which talks of forfeiture of property, shares of companies, etc. It will be very difficult for you to prove that this property has been bought out of the profits from drugs. Though the provision by itself is welcome, its implementation is going to be very difficult or almost impossible. I do wish to suggest certain things to the honourable Minister. After all, from your intelligence sources you know who are the big smugglers, who are the big traffickers. You will have to make special efforts to crack down on them. Forfeiting their property will not help. And also there are types of people who are dealing internationally and who have their properties at locations where you cannot forfeit. It is all out of India. So forfeiture of property is hardly a deterrent for the type of people you are dealing with. The type of people you are dealing with need absolutely a different type of operation which is well within the knowledge and competance of your police force. It is a question of the political will and choosing the right people. Unless you choose the right people, it will be very, very difficult to forfeit property and by the time the case goes to court, you come to know that the forfeitures are untenable and all the property has to be returned We have seen under COFEPOSA there is a large amount of forfeited property which will have to be returned or where there are stay orders. It is no use making such forfeitures. It does not answer our problem. I would like to suggest to the Minister a three-pronged attack. (1) A bolder effort and crack down on smugglers and drug traffickers; (2) Isolation treatment and motivation of drug addicts which is a very, very specialised task but on which there is absolutely nothing done. In Bombay there is not a single camp where drug addicts can be treated. You can arrest them and put them in jail. It does not solve our problem. There have to be special camps, special doctors, special arrangements, where drug addicts have to be de-addicted. And (3) Prevention of new people getting into it by audio-visual other methods of awareness in which you must associate voluntary agencies. This three-pronged attack has to be done. Finally I would like to conclude with a statement of Mr. Jogen Gamel Gaard who is a Field Adviser who has been posted to India by the United Nations Fund for Drug Abuse Control. He has said the United Nations is giving us US $ 20 million of which US $ 7.5 million will be basically used for strengthening the Narcotics Control Bureau. I don't understand, Narcotics Control Bureau is part of the Government of India. We don't need 7.5 million dollars which is nothing for communication facilities etc. If you are giving us US $ 20 million, let us use it for strengthening the network for prevention of drug abuse. For Narcotics Control Bureau we have our own funds, we have our own police force. We don't need UN money for our police force. Definitely Drugs Control Bureau requires testing kits, forensic laboratories, a host of equipments which are necessary for effective pre-

[Shri Kamal Morarka]

vention and control of this dreaded problem. Thank you.

श्री सुरेश पचौरी (मध्य प्रदेश) : माननीय उपसभापति महोदया, मैं नारकोटिक्स ड्रग्स एवम् साइकोट्रोपिक सबस्टान्सेस एक्ट, 1985 का जो संशोधन रूप बिल के रूप में प्रस्तुत किया गया है, उसका समर्थन और स्वागत करता हूं ।

महोदया, अकसर यह कहा जाता है कि किसी भी राष्ट्र को नष्ट करना है तो उस राष्ट्र की युवा पीढ़ी को नष्ट कर देना चाहिए । इसका आशय यह है कि किसी भी देश के विकास को यदि अवरुद्ध करना है, उसकी तरक्की को रोकना है तो उस देश की तरुणाई को पदभ्रमित कर देना चाहिए, दिगभ्रमित कर देना चाहिए और उस देश की तरुणाई को दिगभ्रमित करने का इससे अच्छा और कोई तरीका नहीं हो सकता है कि उस देश की तरुणाई को नशीले पदार्थों का सेवन करने में लगा दिया जाये । महोदया, बड़े दुर्भाग्य के साथ यह कहना पड़ रहा है और अगर मैं यह कह दूं तो कोई अतिशयोक्ति न होगी कि हमारे देश में भी सुनियोजित ढंग से इस देश की तरुणाई को दिग्भ्रमित करने का प्रयास नशीली वस्तुओं का सेवन करने के माध्यम से किया जा रहा है ।

महोदया, अक्सर यह माना जाता है, जैसाकि एक कवि ने कहा है —

"नोजवानों की धारा पर जब आजादी चलती है,
इतिहास उधर चल देता है
जिस ओर जवानी चलती है ।"

यह धारणा बनी हुई है और मेरा यह दृढ मत है कि यदि किसी देश का विकास और उत्तरोत्तर तरक्की होनी है तो यह आवश्यक है कि उस देश की तरुणाई को उसमें शामिल किया जाये । महोदया, आज बड़े योजनाबद्ध तरीके से, बड़े सुनियोजित ढंग से आज हमारे देश में चाई पाश्चात्य संस्कृति को ही माध्यम क्यों न बनाया जा रहा हो, इस बात की कोशिश की जा रही है कि इस देश की नौजवान पीढ़ी, हमारे देश की तरुणाई ड्रग एडिक्ट होती जा रही है। इसे मद्दे नजर रखते हुए यह बिल यहां प्रस्तुत किया गया है जिसमें कि नशीले पदार्थों की तस्करी से सख्ती से निपटने के लिए निवारक नजरबंदी के अधिकार सरकार ने प्राप्त किए हैं और नशीले पदार्थों की रोकथाम के लिए प्रधान मंत्रीजी द्वारा बनाए गए 14 सूत्रीय दिशा निर्देश कार्यक्रम के अंतर्गत संबंधित अधिकारियों को आधुनिक संचार सुविधाएं उपलब्ध करायी जा रही हैं । देश के दो बड़े नगरों अर्थात बंबई और दिल्ली में वहां के अंतर्राष्ट्रीय हवाई अड्डों पर ऐसी व्यवस्था की गई है कि नशीली वस्तुओं से संबंधित मामलों को निपटाने के लिए अलग से विभाग स्थापित किया जाये । इस बिल के तहत नशीली वस्तुओं के अवैध कारोबार के लिए नजरबंदी के आधार को और ज्यादा व्यापक और मजबूत बनाया गया है । नशीली वस्तुओं को एक राज्य से दूसरे राज्य में ले जाने के लिए वे एक देश से दूसरे देश को आयात और निर्यात करने के लिए भी काफी कड़ी व्यवस्था की जा रही है । उन लोगों पर भी इस बिल के माध्यम से यह कानून लागू होता जो मादक औषधियों और मन प्रभावी पदार्थों के व्यापार में संलग्न होंगे और इसके लिए प्रत्यक्ष या अप्रत्यक्ष रूप से सारी सुविधाएं उपलब्ध कराएंगे या

उन लोगों की मदद करेंगे जो इस प्रकार की तस्करी करते हैं।

महोदया, इससे पहले कि हम यह विचार करें कि इस बिल का प्रारूप क्या हो, इस बिल के उद्देश्यों की पूर्ति कैसे हो इस बारे में विचार किया जाना जरूरी है कि वे कौनसे लोग हैं जो नशीले पदार्थों का सेवन करते हैं। सबसे पहले तो वे उस दर्जे के लोग होते हैं जो गरीबी की रेखा से नीचे रहने वाले हैं यानी झुग्गी-झोंपड़ियों में रहने वाले हैं। वे अपने गम को भुलाने के लिए रात के समय चैन की नींद सोएं इसके लिए नशीले पदार्थों का सेवन करते हैं। दूसरे वे लोग होते हैं जो अत्यंत सुविधा संपन्न होते हैं। संपन्न वर्ग के लोग होते हैं और परमानन्द सुख की प्राप्ति के लिए इस प्रकार की नशीली वस्तुओं का सेवन करते हैं। तीसरे वे लोग होते हैं जो इस देश के भविष्य हैं या इस देश के कर्णधार हैं यानी इस देश की नौजवान पीढ़ी है, इस देश की तरूणाई है। इसलिए हमें यह देखना होगा, इस पर विचार विनिमय करना होगा, चिंतन करना होगा कि वे लोग जो झुग्गी झोंपड़ी में रहते हैं और गरीबी रेखा से नीचे हैं, नंबर दो जो देश के भविष्य निर्माता हैं और नंबर तीन जो सुविधा-संपन्न हैं--वे इस प्रकार की नशीली वस्तुओं का सेवन किन परिस्थितियों में करते हैं? इसबारे में गहन विचार कर, चिन्तन कर एक नया एक्शन प्लान बनाना होगा। यह एक सामयिक कदम होगा। महोदया, तस्करी क्यों की जाती है, इस पर भी विचार करना जरूरी है। बड़ी आसानी से यश कमाने के लिए, बड़ी आसानी से पैसा कमाने के लिए लोग इस कार के काम अपनाते हैं। यश कमाने की बात मैं जान-बूझकर कर रहा हूं। हमारे पास इस बात के प्रमाण हैं, इस बात के सबूत हैं कि कई ऐसे लोग हैं जिन्होंने हाजी मस्तानों की शरण ली है। कई ऐसे लोग हैं जिन्होंने चुनाव जीतने के लिए हाजी मस्तान जैसे लोगों की अपील् जारी करवाई है। ऐसे लोगों की सार्वजनिक भर्त्सना की जानी चाहिए। ऐसे लोगों का सोशियल बायकाट किया जाना चाहिए। जब इस बारे में इस बिल के माध्यम से चर्चा हो रही है तो इस पर भी चिन्तन और मनन एक आवश्यक बात होगी।

महोदया, इससे पहले कि मैं मंत्री जी को इस बिल के लिए बधाई दूं, उनके प्रति कृतज्ञता ज्ञापित करूं, मैं आवश्यक समझूंगा कि आदरणीय प्रधान मंत्री जी को नशीले पदार्थों का धंधा रोकने के लिए 14 सूत्रीय जो उन्होंने कार्यक्रम दिया है, उसके लिए उनके प्रतिहार्दिक कृतज्ञता व्यक्त की जाए प्रधान मंत्री जी ने इस गंभीरता को समझा है। उन्होंने इस बात का आभास लिया कि इस देश की नौजवान पीढ़ी को दिग्भ्रमित करने की सुनियोजित साजिश की जा रही है और उन्हें इस बात की आदत डाली जा रही हैं कि वे नशीली वस्तुओं का सेवन करें। उन्होंने जो 14 सूत्रीय दिशा निर्देश दिए हैं, उसमें इस बात की व्यवस्था की है कि नशीली वस्तुओं के धंधे के खिलाफ छेड़े गए जेहाद को और तेज किया जाए। कानून की व्यवस्था का परिपालन और ईमानदारी से हो सके, इस चीज को सुनिश्चित किया जाए। जब्त माल को तुरन्त नष्ट किया जाए। प्रयोग शालाओं में सुविधाओं को और अच्छे ढंग से बढ़ाया जाए और चलती-फिरती जांच मशीनों का वितरण सही ढंग से किया जाए और इस

[श्री सुरेश पचौरी]

प्रकार का काम करने के लिये पुलिस को भी और व्यापक प्रशिक्षण दिया जाए। महोदया, लोगों को इससे होने वाले नुकसान की जानकारी देना, नशीली वस्तुओं का सेवन करने से उनके पुनर्वास की स्थापना करना आदि के संबंध में 14 सूत्रीय दिशा निर्देश में उल्लेख है।

महोदया, मादक द्रव्यों का प्रचलन है, प्रमुख रूप से 7 प्रकार के हैं जैसे अफीम, हसीश, हेरोइन, मैंढरेक्स, मार्फिया, कोकीन, ब्राउन चीनी आदि। इतिहास में इस बात का उल्लेख नहीं है कि चरस के स्वाद को कब चखा गया। हफीम का यद्यपि 15वीं शताब्दी में प्रयोग का उल्लेख। इसी प्रकार गांजे की उत्पत्ति जो है हिमालय की चोटियों में हुई, इसका उल्लेख है। लेकिन, जो ब्राउन चीनी है, जो गांवों में आइसक्रीम दी जाती है, जो मिठाई बनाई जाती है, गांवों में जो हाट लगते हैं, वहां ब्राउन चीनी का उपयोग किया जाता है। मैं मंत्री जी से निवेदन करना चाहूंगा कि इस बात को सुनिश्चित करें कि वहां के मिठाई विक्रेता और आइसक्रीम बेंचने वाले ब्राउन चीनी का प्रयोग न कर पायें, इसका विशेष रूप से ध्यान रखें। नशीली वस्तुओं के सेवन को रोकने के लिए चहुंमुखी प्रहार करना बहुत आवश्यक है। इसके लिये हमें एक जन-चेतना कार्यक्रम चलाना होगा जिसमें डाक्टर्स को, समाज सेवकों को, संतों को और सामाजिक संस्थाओं को शामिल करना होगा क्योंकि हमारा यह मानना है कि मादक पदार्थों का व्यसन करने पर शरीर पर, मस्तिष्क पर और आत्मिक गिरावट पर प्रभाव पड़ता है। ऐसी वालंटरी एजेंसियां हैं जिनको कि भारत सरकार के द्वारा वित्तीय मदद दी जा रही है। लेकिन मेरे पास इस बात के सबूत हैं कि कुछ ऐसी वालंटरी एजेंसियां हैं जिनको कि पर्याप्त मदद नहीं दी जा रही है जैसे कि सोसाइटी फार दि प्रमोशंस आफ यूथ एंड मासिज है, जो एक कुमारी जीनत निकेती है वह चला रही है। उन्होंने इस बात को सुनिश्चित किया कि दिल्ली में कई जगह ड्रग ऐडिक्ट कांसल्टिंग सेंटर खोले, लेकिन उनको पर्याप्त मदद नहीं दी जा रही है। जहां वालंटरी ऐजेन्सीज को प्रापर मदद देना जरूरी है, जहां हम प्रधान मंत्री जी के 14 सूत्री डाइरेक्टिव्ज को लाग करने के लिये हम उनको बधाई देते हैं वहां हम मंत्री जी को इस बात के लिये बधाई देते हैं कि 1985 के ऐक्ट में वह 1988 में परिवर्तन कर रह हैं और उसके तहत 260 डिटेंशन आर्डर हुये और 221 मेजर ड्रग ट्रैफिकर्स पकड़े गये, इस संबंध में मेरे कुछ सुझाव हैं जो मैं आप के माध्यम से यहां प्रस्तुत करना चाहता हूं। सभी राज्यों तथा युनियन टेरिटरीज के मुख्य मंत्रियों को यह लिखा जाए कि जो प्रधान मंत्री जी का नशीली वस्तुओं के सेवन संबंधी दिशा निर्देश हैं, जो 14 सूत्री कार्यक्रम है, उसको लागू किया जाए। साथ ही कुछ स्टेट गवर्नमेंटस को इस बात के लिये लिखा जाए कि उनके पुनर्वास की व्यवस्था करें और अस्पतालों में उनको सही इलाज की सुविधा दें। जो वालंटरी ऐजेन्सी को मदद दी जाए उनको इस बात की हिदायत दी जाए कि वह नशीली वस्तुओं के सेवन को रोकने के लिए प्रमुख रूप से वरीयता के आधार पर इस कार्यक्रम को चलाएं। इन कार्यक्रमों को स्कूलों में चलाएं। टीचर्स की मदद लें। इसके लिए सिंपोजियम, सैमिनार, ऐसे कंपिटिशन, क्विज कंपीटिशन आयोजित किए जाएं। साथ ही युनिवर्सिटी ग्रांटस कमीशन और वाइस चांसलर्स को भी इंवाल्व किया जाये एन०एस०एस० के माध्यम से इन कार्यक्रमों को चलाएं। मैं मंत्री जी से आग्रह करूंगा क्योंकि वे इस संबंध में विशेष दिलचस्पी ले रहे हैं, वे योग्य हैं, सक्षम हैं, इसलिए वे नेशनल नारकोटिक अथारिटी का गठन करें जिसके अधिकारी लोग ड्रग ट्रेफिकिंग का सही ढंग से सामना करें।

उपसभापति : आप नेशनल नारकोटिक्स अथारिटी चाहते हैं, या ऐन्टी नारकोटिक्स अथारिटी चाहते हैं ?

श्री सुरेश पचौरी : मैं नेशनल नारकोटिक्स अथारिटी आफ इंडिया कह रहा हूं। महोदया, इसके अतिरिक्त पाम्फलेट, पोस्टर से भी कैंपेन चलाना चाहिए। इसके लिए मंत्रालय चाहे तो एक नेशनल यूथ मीटिंग भी करा सकते हैं। प्रचार और प्रसार के संबंध में

मेरा विचार है कि टी० वी० और रेडियो के माध्यम से इसकी जानकारी देश के नवयुवकों को मिलनी चाहिए कि नशीली वस्तुओं के सेवन करने से उनके मस्तिष्क पर किस प्रकार का दुष्प्रभाव पड़ता है।

महोदया, आंकड़े यह बताते हैं कि 15 मिलियन लोग 21वीं सदी तक इसके शिकार हो जाएंगे। इसको मद्देनजर रखते हुए इन कार्यक्रमों को वरीयता के साथ लागू किया जाना बहुत जरूरी है।

महोदया, सेशन कोर्टस के गठन की बात भी कही गई है जो कि स्वागत योग्य है। इसके साथ ही नेशनल फ्रंट फार कंट्रोल आफ ड्रग ऐब्यूज आपने बनाया है जो कि अच्छा काम है। मेरा अपना व्यक्तिगत अनुभव यह है कि इस प्रकार की नशीली वस्तुओं का प्रयोग अधिकतर कालेजों में होता है जहां पर छात्रों को होस्टलों में उनका सेवन करने के लिए मजबूर किया जाता है। होस्टलों में यह उस समय प्रयोग होता है जबकि प्रथम वर्ष में, इंजीनियरिंग या अन्य कालेजों में छात्रों का ऐडमिशन होता है और रिगिंग के साथ उनको इस बात के लिए मजबूर किया जाता है। छिपकली को मारकर 15 दिन तक सड़ाया गलाया जाता है और उसको चरस में मिलाकर उनको पिलाया जाता है। फस्ट इयर में उनको जबरदस्ती पिलाते हैं, फिर वे इसकी आदी हो जाते हैं, हैबिचुअल हो जाते हैं और उसके बगैर रह नही पाते हैं। आंकड़े इस बात के सबूत हैं। अतः बंबई, कलकत्ता, दिल्ली में इसके कंट्रोल के सेंटर खोलना बहुत जरूरी है।

लोगों को इस बात से सचेत किया जा सके कि इस प्रकार की नशीली वस्तुओं के सेवन से उनके शरीर पर विपरीत प्रभाव पड़ता है। खासकर एजुकेशनल इंस्टीटयूशंस में, होस्टल्स मे इस बात पर बहुत ज्यादा ध्यान दिया जाना चाहिए ताकि वहां के स्टुडेंटस इस प्रकार शुरू की अवस्था मे नशीली वस्तुओं का सेवन न कर पाये। पैरेन्टस की भी जिम्मेदारी होती है। पैरेन्टस अपने बच्चों के लिए देखें कि उनका फ्रेंडस सर्किल कैसा है। पैरेन्टस के लिए जरूरी नही है कि वे हमेशा अपने बच्चों को पैसा दें। पैरेन्टस अपने बच्चों को ज्यादा से ज्यादा प्रेम दें यह ज्यादा महत्वपूर्ण बात है। स्कूल्स में इस प्रकार की लाइब्रेरी होनी चाहिए। जिसमें इस प्रकार का लिटरेचर हो कि नशीली वस्तुओं का सेवन करने से किस प्रकार का नुकसान हो सकता है। अप-टु-डेट लाइब्रेरी होनी चाहिए। मेरा निवेदन है कि इन सब बातों पर विशेष ध्यान दिया जाना चाहिए। इन शब्दों के साथ मैं इस बिल का समर्थन करता हूं।

SHRI P. K. KUNJACHEN (Kerala): Madam, I suport the Narcotic Drugs and Psychotropic Substances (Amendment) Bill, 1988, moved by the hon. Minister.

Madam, the salient features of this Bill are: making the drug offences non-bailable, forfeiture of properties of drug traffickers, procedure for pretrial disposal of the seized drugs, not applying the privilege or remission to the punishment awarded under the Act, provision for death penalty for serious drug offences, enhancement of punishment for abetting drug traficking in the case of officers and others in charge of custody of the patients like undertrials, prisoners, etc., to exempt the drug addicts once in their life-time who volunteer to de-addiction treatment, etc. The hon. Minister has made these as the salient features of his Bill. Therefore, I need not deal in detail about these Clauses of the Bill. But, Madam, by this legislation, the Government has been fully armed. It is also good. But mere arming would not solve the problem. I want to make certain suggestions because this is a very serious issue. It is eating the heart of our country actually. Younger generation is more and more attracted towards these and they are becoming the victims and they are being killed. Somebody may say that it is their fault. It is not because of their fault alone. Crores and crores

[Shri P. K. Kunjachen]

of rupees are made by the drug trafficking. The multi-nationals, smugglers, etc. are making money. That is why this is increasing day by day. So, we will have to tackle these people. The main thing is to pick up the smugglers and the big monopolies who are behind this drug trafficking. Only by picking up the drug addicts, we are not going to solve the problem. Arrangements should be made on a large scale for the treatment, etc. At the same time, we should also concentrate on those people who are behind this, drug trafficking. Now extremists of various hues are being used for drug trafficking. Previously, it was the smugglers and the big monopolists who were indulging in this drug trafficking. Now, extremists of various types are also being used for drug trafficking in various parts of the country. So, some steps should be taken in that direction. Another important thing is that cultivation of opium on a large scale is going on. Three days back it has been reported that Rs. 40 crore worth of opium plants were destroyed in Tamil Nadu on the border of Kerala. Previously, in Kerala Rs. 25 crore worth of ganja —there opium is called as ganja— has been destroyed by the Government. From outside it is coming from Pakistan, Burma, Sri Lanka, etc. Inside the country also the plants are grown on a large scale. They are well equipped and they have got their own senas. Destroying opium cultivation is a very serious problem. Large police forces and other forces have to be mobilised. Then only it is possible to destroy. Otherwise it is not possible. Two or three officers, or ten or fifteen officers or even fifty officers cannot do, they cannot destroy, because the cultivation is on a large scale. Large forces have to be mobilised. The Government of Kerala have been able to destroy opium cultivation worth about Rs. 25 crores. It was possible only because from the centre itself men have been deputed for doing this work. That is why it has been possible also.

Here in the Act one thing is lacking. The role of the State Governments is not seen anywhere in this. Unless and until the State governments also take serious steps and their full cooperation and coordination is there, it is not possible to destroy or prevent this trafficking. This also must be given due importance.

Another thing is the functioning of the department. *(Time bell)* Functioning of the department is a serious problem. Merely recruiting officers and training them is not sufficient. People in the Narcotics Control Bureau and the Narcotics Department they must be persons who are dedicated and specially trained, they must feel that they are serving the country. Others also are serving the country. I do not dispute the fact. But they must work as dedicated persons. Such kind of training should be given to them and that machinery should be strengthened. Here it has been said that other department will also be mobilised for their help i.e., the Customs Department, Excise Department, Income-tax Department, Foreign Exchange Regulation Department, Central Economic Intelligence Service, the Director of Revenue Intelligence etc., all those persons will be mobilised. At the same time, the Narcotics Bureau and the Narcotics Department should be strengthened. It is at present a small organisation. They cannot work throughout the country and check this trafficking. So, it should be strengthened. *(Time Bell)*.

Madam, another thing is that the involvement of the public has to be seriously thought of and people have got to be educated about it and wide publicity has to be given regarding the serious dangers that it can cause. Unless and until we give wide publicity through all mediums, like press, radio, TV etc. no breakthrough can be achieved. Then you will have to think of some advisory commit-

tees also at the district level, involving important people, very efficient persons to advise how to prevent this trafficking. That also should be thought of.

Another thing is that you will have to study the experience of China and you will have to study the experience of Russia. China was previously known as the opium-eaters country. They have been able to prevent it to a large extent. I have seen it with my own eyes. I have gone there and seen how they have been able to control this. I have seen how in Russia they have been able to control this. These lessons have to be taken into account. I know Russia is a socialist country and ours is a capitalist country. There are so many difficulties here. Even then we will have to study the lessons and take appropriate action.

THE DEPUTY CHAIRMAN: Please conclude now.

SHRI P. K. KUNJACHEN: One minute, Madam. So that lesson has also to be taken into consideration.

Then there is another thing and that is the will of the Government. The political will of the Government is a serious problem. I do not want to accuse anybody but there are experiences which can be made use of. I have personally felt these things. When officers went to destroy the plants etc., many people tried to stop it. So such experiences are there. I do not want to accuse anybody. This is a serious problem. So, political will has got to be there and we must take serious action in such cases and only then we can succeed in our efforts. I hope the hon. Minister will give a serious thought to these suggestions. Thank you.

श्रीमती सत्या बहिन (उत्तर प्रदेश) : आदरणीय उपसभापति महोदया, आज जिस विषय पर चर्चा हो रही है वह समाज के लिये एक गंभीर चिंता का विषय है । नशीले पदार्थों का व्यापार एवं उसका दुरुपयोग समूचे विश्व के लिये एक गंभीर समस्या बन चुका है । मादक द्रव्यों का व्यसन आज भारत में शहरों से लेकर गांव की झोंपड़ियों तक तथा स्कूल के अल्प-वयस्क छात्रों तक पहुंच चुका है । इस समस्या से देश के नागरिकों के स्वास्थ्य तथा समूचे देश की अर्थ व्यवस्था पर प्रतिकूल प्रभाव पड़ रहा है ।

मान्यवर, यद्यपि सरकार ने इससे पूर्व भी इस समस्या से निपटने के लिये कानून बनाये और उन्हें कुछ हद तक अमल में भी लाया गया किन्तु वे ज्यादा कारगर सिद्ध नहीं हुए । इसमें भारी मुनाफे को देखते हुए गरीब बेरोजगार नौजवानों को भी तस्कर लालच देकर इस अनैतिक व्यापार में लगा लेते हैं । जब पकड़े जाते हैं तो ये गरीब मजबूर लोग ही पकड़े जाते हैं जो कि मजबूरी में इस धंधे में लग होते हैं । मेरा सरकार से आग्रह है कि इस संबंध में कठोर से कठोर कदम उठाकर जड़ पर, अर्थात बड़े तस्करों पर अंकुश लगाया जाये और उनके लिये कड़ी से कड़ी सजा तथा गैर जमानती गिरफ्तारी की व्यवस्था की जाये । साथ ही इसमें उनकी संपत्ति को जब्त करने का प्रावधान भी किया जाये। मैं इस संबंध में निसंकोच कहना चाहूंगी कि नारकोटिक विभाग, पुलिस तथा आबकारी विभाग की लापरवाही तथा ढील के कारण ही यह धंधा भयंकर रूप से फूल फूल रहा है और जितने भी बड़े तस्कर हैं, चाहे वे देश के अंदर इसका व्यापार चला रहे है और चाहे बाहर नेपाल, सिंगापुर या अन्य देशों से इस जहर का आयात-निर्यात कर रहे हैं, यह सब पुलिस आबकारी विभाग, कस्टम विभाग और नारकोटिक विभाग की जानकारी में है । जब ये विभाग ईमानदारी से इस बुराई के विरुद्ध कदम उठाते हैं, उनके विरुद्ध कार्यवाही करते हैं तो कुछ समय के लिये बहुत हद तक इसका व्यापार कम हो जाता है । लेकिन जब वे शिथिल हो जाते हैं तो फिर पुनः जोर-शोर से उनका यह धंधा शुरू हो जाता है । मादक द्रव्यों के व्यापार को रोकने के लिये प्रधानमंत्री जी और कांग्रेस

[श्रीमती सत्या बहिन]

सरकार ने पहले भी 14-सूत्रीय कार्यक्रम अपनाया था । महोदया, इस बुराई को अन्तर्राष्ट्रीय सहयोग से निपटाने का प्रयास किया जाना चाहिये । नारकोटिक्स कंट्रोल ब्यूरो के अनुसार संसार भर के व्यापारियों में 65 प्रतिशत नाइजीरियाई नागरिक हैं । ये लोग अधिकतर छात्र बनकर भारत में आते हैं और उसकी आड़ में ये यह धंधा चलाते हैं। ये लोग अधिकतर मादक पदार्थ लाओस ले जाते हैं । यह व्यापार देश के लिये एक चुनौती है । मैं उत्तर प्रदेश के बलिया, बरेली, बाराबंकी और गोरखपुर आदि जिलों की तरफ आपका ध्यान दिलाना चाहती हूं । यहां अनेक गांवों में मार्फीन, ब्राउन शुगर, हेरोइन जैसी खतरनाक दवाओं का उत्पादन एवं उनका व्यापार बड़े धड़ल्ले से हो रहा है । पकड़े गये कई तस्करों ने स्वीकार किया है कि वे विश्वविद्यालय, कालेज और स्कूलों के छात्रों के बीच अपना व्यापार चलाते हैं । पहले वे युवकों इसका प्रयोग सिखाते हैं उनको मुफ्त में खिलाकर लेकिन जब वे बाद में उसके आदि बन जाते हैं तो वे उनके ग्राहक बन जाते हैं । एक अनुमान के मुताबिक नशेबाजों में 80 प्रतिशत 16 से 30 वर्ष की उम्र के हैं । 10 प्रतिशत 40 से 45 वर्ष के हैं । इन आंकड़ों से देश की सामाजिक स्थिति की गंभीरता का पता चलता है । इस धंधे में लगे हुए लोग देश में अस्थिरता फैलाने का भी काम करते हैं उग्रवाद, अलगाववाद को बढ़ावा देते हैं ।

अंतर्राष्ट्रीय पुलिस संगठन, इंटरपोल की रिपोर्ट के अनुसार तस्कर इतने अधिक शक्ति संपन्न हैं कि कुछ ही घंटों में करोड़ों डालर की राशि खर्च कर कई देशों की सरकारों को गिरा सकते हैं । यह एक गंभीर चिंताजनक चुनौती है । इस पर सख्ती से नियंत्रण किया जाना चाहिये । मैं इस बिल का हार्दिक समर्थन करते हुए कहना चाहूंगी कि कानून बनाना जितना आवश्यक है उस पर कड़ी कार्यवाही करना उससे भी कहीं ज्यादा जरूरी है ।

इस समर्थन के साथ ही मैं सरकार से आग्रह करूंगी कि कानून को सख्ती से अमल में लाया जाए और गुद्ध स्तर पर इस कार्यवाही को रोका जाना चाहिए तभी इस देश का भविष्य और इस देश के नागरिक का भविष्य और सामाजिक मूल्यों को हम कायम रख सकते हैं । इन शब्दों के साथ मैं माननीय मंत्री जी को और सरकार को हार्दिक धन्यवाद देती हूं ।

ठाकुर जगतपाल सिंह : महोदया, इसमें मेरा एक सुझाव यह है कि ब्राऊन शुगर की बजाय इसका नाम बदल कर के ब्राऊन प्वायजन कर दिया जाए क्योंकि ब्राऊन शुगर से अनावश्यक आकर्षण पैदा होता है ।

DR. G. VIJAYA MOHAN REDDY (Andhra Pradesh): Madam Deputy Chairman, I whole heartedly support this Bill. Even though it has come on the last day, its importance cannot be minimised. When a persons becomes a slave to this habit, he can be operated through. That is why whenever antinational activities take place, drug is there; whether it is gold smuggling or espionage or terrorism. All these activities are connected with drugs. It debases a person. If a patriot becomes a slave to this habit, he can be operated throught. That is why this is the most dangerous thing today and I would say that even the security of our country is in jeopardy because of the huge quantities of drugs that are coming into our country. Every day we see in the papers that huge quantities of drugs worth crores of rupees are seized in big hauls. That is why the Government is paying special attention to this problem. I, for one, appreciate the Cabinet's attention to this problem. A Cabinet sub-committee went into the details and the Government has come up with this Bill. This will strengthen the hands of the various agencies which are involved in controlling this menace.

I would like to point out that it is very easy to go to the centre, the centre of the activities of the drug agencies. After all, when you catch hold of a person who is an addict, if you follow it up in a correct way, naturally, it will lead to the Centre. The nexus will be clear then. Big money is involved. An industrialist may be there. A big hotel management may be there. A big bureaucrat may be there. A Government servant may be there. A politician may be there. The nexus operates. Then hands of law are not in a position to reach that centre.

[**The Vice-Chairman Shri B. Satyanarayan Reddy** in the Chair.]

It is not that we are not able to do that. When you can eradicate a disease, how can you say that you cannot eradicate this? As the previous speaker has said, the Government must have a will. The property of a smuggler is attached. Something happens. But after that, as my friend, Mr. Morarka, has said the Government is not able to dispose of that property. Many lacunae are left and the people are allowed to escape. The loophloes are now being plugged through this Bill. This is a very welcome feature.

Another thing is that it has been made cognisable so that no person can get bail. As the lady Member said just now the menace is spreading to the schools also. In big cities, parents are afraid to send their children to the hostels as these have become dens of drug addiction. No body can escape. Unless these addicts get more and more people involved, there is no safety for them. Not only that. There is pressure from the top to get more and more people involved. It is done in an insidious way. Even things like ice-cream, coffee etc. are used. There is no item which is left out... to put the drug habit into the person. That is why we must make more and more and more scientific study into the spread of this drug.

Sir, we are talking about drug menace. In certain parts of our country toddy is used by millions and millions of poor people. It is a poorman's drink. It is being adulterated with chlorohydrate. I have referred to this several times in this House. It is a kind of chloroform, it is a poison. Thousands of people are getting affected. This is being used by the landlords, by the anti-social elements in the villages. We have been reminding this Government. Even the Excise Commissioners of Andhra Pradesh, Tamil Nadu and other States have written to the Government stating that chlorohydrate shoud be included in the category of psychotropic substance so that there is deterrent punishment, but there is no reaction from the Government side at all. I am sorry to say that hundreds of people are dying because of the use of this today. (Interruptions). Yes, we have talked about electoral reforms but not about alcohol or toddy which should really be the vehicles of reaction. That is why we uphold bringing of this Bill. One thing is there. There should be a will to act, there must be agencies to implement this Bill. (*Interruptions*).

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY) Yes, Mr. Rameshwar Thakur. Not there.

DR. G. VIJAYA MOHAN REDDY: I have not completed, Sir. He just wanted me to yield for a minute and that is why I sat down. I have just one or two more things to say.

The Government's action in so far as combatting drug addiction through rehabilitation centres and through propaganda is concerned, is very very weak. I do not know why government cannot have more and more rehabilitation centres spread throughout various cities. Then, my sugestion is that you must take the public into confidence. you must seek their coperation. This is an area where anti-national elements play a vital role.

[Dr. G. Vijaya Mohan Reddy]

There must be a drive on war-footing to see that this abuse is combatted. People have to be taken into confidence.

Also, the Government has to allot huge sums of money for this This will improve the general law and order position in the country, because of the drug abuse the law and order position has deteriorated and the crime is on the rise. Even cinema and certain other agencies are encouraging this drug menace. So, the trading in drugs and all other related aspects have to be looked into. Films as the biggest medium should be useful in controlling and seeing that the drug agencies are punished. Instead of that ,it is becoming a vehicle of propaganda for crime as well as drug abuse. I request the Government to take a very wide view of the entire thing. Lgislation is good, but a very wide view has to be taken by the Government and all aspects will have to be studied. A scientific study has to be made into entire problem and we must be able to combat it on a war footing. Thank you.

SHRI ANAND SHARMA (Himachal Pradesh): Mr. Vice-Chairman Sir, I rise to support the Bill to amend the Narcotic Drugs and Psychotropic Substances Act, 1985. This particular Bill, or the earlier Act of 1985, clearly proves that the Government is conscious of the danger posed by drug trafficking and is responding in time to ensure that it is checked or curbed and the threat created by it is minimised.

Over the years, unconsciously or unwittingly, India has been drawn into the drug net. A problem which, we used to refer to as the problem of decadent West, is no more a problem of the decadent West, but is very much a problem of the developing world, particularly a problem of India, or a problem of South Asia, The reasons for this are both historical as well as geographical. There are two major drug producing centres in this part of the world—the Golden Cresent and the Golden Triangle. Tragically India is sandwiched between these two major drug producing areas. The Golden Triangle comprises of Laos, Burma, Thailand and Kampuchea and the Golden Cresent comprises of Turkey Iran and the border areas of Afghanistan and Pakistan. In fact the Durand Line is the major area of Poppy cultivation and right from Iran upto Afghanistan it is a very ideal location mountainous, hilly regions—and a lot of poppy cultivation has been going on over the years. In Turkey, the United Naitons had earlier officially permitted cultivation of poppy. Besides that poppy cultivation was officially allowed only in one country i.e. India where it is still continuing. But in the case of India, fortunately the leakages have been nominal. Out of a quantity of almost 750 tonnes which is produced, barely 1 per cent leakage has been there. But in the case of Turkey, the leakages were so heavy that both the United Nations and the United States had to step in to curb that and to stop the cultivation.

Over the last few years, the developments in Afghanistan and the Gulf War have led to a situation wherein the old transit routes of drug traffickers were closed. Those drugs used to go out from Afghanistan via Turkey of via Iran. Now India has become, in the last few years, the main transit centre of drugs in this part of the world. We have achieved this dubious distinction only because of these developments. Thus we have to gear up all possible efforts to ensure that we check it. It is not only a problem which is related to a special type of crime of polluting the minds of the youth, It is also related to national character, to national security and peace both social peace and peace in the region.

I will come to that later.

Today we have to be clear that with the old transit points having been

closed and new developments taking place in the region, whether it is in South-East Asia or in Burma the developments which my friend, Mr Kamal Morarka referred to and the possibility of peace returning to Afghanistan, poppy cultivation and heroin production will register a quantum jump; it will increase much more. The last five years have shown that drug trafficking in India, according to the inference drawn from the quantity of seizures made by the anti-narcotic agencies, has gone up by 300 to 400 per cent. What we have been able to seize, the quantity was certainly in thousands of kilogrammes. I think heroin alone I have the figures here amounts to 2700 kilogrammes. This year, up to August itself it has registered almost 1875 kilogrammes of heroin only. 84 per cent of the drugs are coming only from the 'Golden Cresent' area. Pakistan is the main origin point and India has become the main transit point. There are powerful vested interests in Pakistan or in other parts of the Golden Cresent which are providing patronage and protection to drug traffickers. This aspect we cannot overlook, as also the fact that it is bound to go up. Earlier, the route mapped out was Lahore to India via the Wagah border, and there were points which were clearly identified, but now it has spread right across the Indo-Pak border, that is, a distance of 2,500 kilometres from Kashmir into Gujarat, and on both sides of the border they are active. The point which I have to make, and which has apparently been missed by some of my colleagues earler, is the menace of drugs linked to terrorism, the new concept of narco-terrorism. This is what we have become the victim of.

It is not only a problem, as I had said, linked only to the national character or the growing adiction amongst the youth. Various seizures made by our agencies and as per Interpol reports, along the Rajasthan border and the Punjab border, the illegal weapons which have been seized have been linked directly, or traced directly, to drug traffickers. A substantial part of the funding for terrorist activity is done through drug trafficking-and this is not what has happened to us only. It happened earlier in South-East Asia. Insurgents who were earlier active in the Shan province of Burma and other places in South-East Asia used to fight for control over the Poppy cultivation as through the drugs they could control the insurgent activity and they had substantially augment the availability of weapons. Keeping this in mind I think, we have to analyse the efforts which we have made so far. Given the magnitude of the threat, the present legislation is certainly going to help us in curbing it, but whether it is adequate or something else is to be done is what we all have to consider.

Many of my colleagues have made very important points. As the Minister in his opening remarks has very clearly stated, the Government of India is making every possible effort to ensure that the drug traffickers are trapped and nabbed. This is a problem which is not of a national nature but it is a problem of international dimensions, and that is why bilateral agreements, bilateral operations between India and the neighbouring countries and international arrangements with the United Nations and other international agencies are absolutely essential to fight this menace.

Sir, I am very happy that, given the seriousness of this threat India has been included in the United Nations Sub-Committee on Illicit Drug Trafficking. But, if I may draw the attention of the hon. Minister, Sir, there is a big international fund which is available, which has been created by the United Nations for fighting drug-trafficking. This fund this year had about $30 million available for anti-narcotics operations. But in the past India has been able to get only $15,000.

[Dr. G. Vijaya Mohan Reddy]

We must make efforts to ensure that we get more amount. I am not sure of the figures. We might have got more. But I don't think we are getting adequately. We should make efforts to get more money from U.N. agencies also and from other international bodies. There are countries which are victims of the drug originating from the Golden Crescent area and travelling through India, who would like to come forward and help.

The United States Attorney-General has visited India. The Interpol conference took place a few months ago. Their recommendations also I have gone through. The efforts is commendable. About two years ago we had signed the Commonwealth agreement for controlling drug-trafficking. But with today's Bill, I am sure our anti-narcotics Bureau will get more teeth, will get more strength to take action against drug-traffickers.

But, Sir, we must remember, we are fighting an organised drug syndicate. These are not sporadic actions, no individual smugglers. Individual carriers can be there, but it is not isolated acts on the part of individuals. Sir, it is a big mafia which has money power, which has muscle power and which has gun power. They can silence their enemies. They can silence or buy those who are operating against them, and that is why we have to make a special allocation if we have to save the very future of peace and the very future of our youth.

Sir, the Government may consider raising a special force of trained people. It is a special crime we are dealing with. That force should be trained both in India and in coordination with other agenices in the world which are fighting the narcotics. I am aware of the incentives which are presently given by them for the informers and the officers in the Anti-Narcotics Bureau. It is commendable that 20 per cent amount of the seizures made will be given as reward to the officers. This will given them strength and motivation. But for motivation and commitment, adequate training is also essential.

I am sure, in addition to that, the Government will consider making a genuine coordinated effort. There are various agencies which are seizing the drugs coming into India the Border Security Force, the Customs Department, the State police. There should be a coordination cell in all the States. At the national level there is apparently proper coordination betwen the various agencies. But, of the same coordination we can ensure right along the Indo-Pak border, in Gujarat, in Rajasthan, in Bengal, in Jammu and Kashmir and again in north-eastern India to check the inflow of drugs, we will be in a position to curb it.

This is a problem which does require, I agree with all my other colleagues, a genuine national effort. Here the media has to play its own role, both the official media and the non-official media.

I have always been of this view, Sir, that the greatest amount of pollution in the minds of youth, students, has been created by a section of the media which is bringing out magazines on crimes, giving lurid details of crimes, films which are being produced, unchecked, which are coming out, which are giving respectability to organised mafias, which are also trying or.... which have succeeded. I should say, in creating this impression in the minds of a section of our youths that this is a respectable activity when criminals are shown in films that living in style and spending lavishly and no effort is being made to curb all this. So, I would request both the media and to the Government to launch a compaign to dissuade people, to dissuade the youngsters from taking to drugs and also to

motivate and encourage the people by creating the required awareness so that they come forward and report to the authorities about the activities of those who are carrying on the activities in drugs or are using the drugs By trailing even the drug addicts, we can find out the channels of supply. People must be made aware through Doordarshan and the newspapers which are the Officers who are dealing with the NCB. I am saying this because you are dealing with a powerful mafia. An ordinary citizen does not have courage to come-out publicly and give you information. You must have a field squad of spotters and under-cover agents. Those under-cover agents must move around in the concerned areas and get the requisite information and also give protection to those members of the public who will come forward. You give them telephone numbers and make advertisements so that they can come and quietly contact the concerned officials and give the necessary information.

With these words I once again support this Bill and commend the Government for rising to the occasion and for taking necessary steps to check this crime.

श्री कैलाशपति मिश्र (बिहार) : *उपसभाध्यक्ष महोदय, माननीय सदस्य श्री आनंद शर्मा जी ने जहां भाषण समाप्त किया है, मैं वहीं से आगे कहता हूं।*

माननीय मंत्रीजी ने विधेयक रखते समय कुछ और बातों का उल्लेख किया होता जोकि बाद के भाषणों में आ रही हैं तो ज्यादा सुविधा होती। यह नशीले द्रव्य आते कहां से हैं, कौन-कौन से देश के अंदर उसके द्वार खुले हुए दिखायी दे रहे हैं? सबसे पहले तो यह विचार करना होगा क्योंकि केवल बंबई, मद्रास और कलकत्ता तक यह रोग सीमित नहीं रह गया है बल्कि भारत के गांवों में भी यह पहुंच गया है। शायद आज 5 लाख गावों में से कोई गांव मिलेगा जहां कि ये नशीले द्रव्य न पहुंच गए हों। आबादी के किस अंश तक इससे लोग प्रभावित हुए हैं, इस बारे में निर्णय करना आज बड़ा कठिन हो रहा है। 13–14 वर्ष का बालक, 16–17 वर्ष का जवान और अब तो कहना पड़ता है कि कालेज और स्कूल में पढ़ने वाली बालिकाएं भी इस रोग से ग्रस्त हो गयी हैं। वह भी इससे मुक्त नहीं रह गयी हैं।

महोदय, अभी ज्यादा नहीं तीन साल पहले बिल पास किया था और तीन साल के बाद संशोधित विधेयक लेकर मंत्रीजी उपस्थित हुए हैं। पहले तो मेरी समझ में नहीं आता कि यहां संसद के अंदर बैठकर हम जो विधेयक पास करते हैं, इसका देश को कितना पता लगता है और जिससे सम्बन्धित मामला है उसके पास तक हमारी आवाज, हमारे नियमों की आवाज कहां तक पहुंचती है। मैं मंत्री महोदय को कहना चाहता हूं कि अगर नीचे के स्तर पर जाइए तो थोड़ी भी नशीली वस्तुएं जहां पर दिखायी देती हैं बिकते हुए, वहां तीन स्तरों पर उसकी निश्चित जानकारी होती है। एक तो थाने के दरोगा जी को पूरी-पूरी जानकारी रहती है। उन्हें शोध करने की आवश्यकता नहीं पड़ती। एक्साइज विभाग के पदाधिकारियों को इसकी जानकारी रहती है और जो बेचनेवाला है चाहे वह माफिया गैंग का हो, व्यक्तिगत हो उसे भी इसकी जानकारी रहती है। अगर इन तीन कड़ियों में से एक कड़ी का भी जहां पर अभाव है वहां इस काम में कोई सफलता नहीं मिलती है। तो तीनों जुड़े हुए हैं। आप अगर जानकारी प्राप्त करना चाहें कितनी मात्रा में यह विष फैल गया है, कितनी दूर तक यह विष फैल गया है, तो बड़ा भारी यह रहस्य नहीं रह गया है जिसकी कि जानकारी न लगे। मैं देख रहा हूं कि विधयक के अंदर जैसे नशीले पदार्थों की आपने निगरानी कराई है, उसमें 14 पदार्थों की आपने गिनती कराई है। फिर पकड़ने के लिए, दण्डित करने के लिए कार्य जिनको आपने सौंपा है, नाम पढ़ने के बाद, माफ कीजिएगा, थोड़ी सी हंसी भी आ रही है, यह 10 श्रेणियां–आफिसर्स आफ दि नारकोटिक्स कंट्रोल ब्यूरो, आफिसर्स आफ दि कस्टम

[श्री कैलाश पति मिश्र :]

डिपार्टमेंट, आफिसर्स आफ दि सेंट्रल एक्साइज डिपार्टमेंट, आफिसर्स आफ दि इन्कम टैक्स डिपार्टमेंट आदि, आदि । मैं आपको कहना चाहता हूं कि यह विधेयक का हल्कापन देखकर कई बार तो यही संदेह होता है कि सचमुच में राष्ट्र के ऊपर जो आघात हो रहा है, वह आघात हमको समझ में आ रहा है या नहीं ।

[उपसभापति महोदया पीठासीन हुई]

मंत्री महोदय, उपसभापति महोदया के माध्यम से मैं आपको कहना चाहता हूं कि राष्ट्र की राष्ट्रीय विचारधारा की रीढ़ समाप्त हो रही है और अगर एक बार यह रीढ़ पूरी की पूरी टूट गई तो सरकार चाहे इसकी हो या उसकी हो, यह देश कभी सीधा नहीं खड़ा होगा । आपने 10 श्रेणियों को अधिकार देकर रखा है, क्या आप समझ रहे हैं कि यह इसमें इन्वाल्व नहीं हैं, उनका हाथ नहीं हैं ? मैं आपसे एक आग्रह करता हूं कि जिसकी तरफ आप छान-बीन करने के लिए, पकड़ने के लिए काम सुपुर्द कर रहे हैं, एक ऐसा सैल बनाइए कि आप काम में लगाने के पहले उसके पास कितनी सम्पत्ति थी और इसकी छानबीन करते समय, चाहे यह गुप्तचरी के द्वारा करनी पड़े, संबंधियों के नाम पर कहां-कहां सम्पत्ति खड़ी करता जा रहा है, दूर के लोगों के नाम पर वह कितनी सम्पत्ति खड़ी करता जा रहा है, इसकी जानकारी प्राप्त करने की कोशिश कीजिए । इसका सर्वे कोई 10, 15, 20 साल बाद नहीं होना चाहिए बल्कि 3, 4 या 6 महीने के अन्दर जिसको काम में लगाएं उसकी सम्पत्ति में कितना अंतर आ रहा है, इस विषय में इसकी छान-बीन होनी चाहिए । एक्साइज डिपार्टमेंट के आफिसर को ले लीजिए, इन्कम टैक्स के आफिसर को ले लीजिए, थाने के दरोगा जी को ले लीजिए, कितना उनको वेतन मिलता है, वेतनमान क्या है, इसका जरा पता लगाइए। उनके जीवन का रंग-ढंग देखिए। (समय की घंटी)

उपसभापति : कुछ तो यहां पर भी प्रतिबंध लगना चाहिए ।

श्री कैलाश पति मिश्र : नहीं कोई ज्यादा भीड़ नहीं है । तो आग्रह मेरा यह है कि केवल इसी पर आप निर्भर नहीं करिए। एक राष्ट्रीय अभियान इस काम के लिए कैसे शुरु किया जाए, इसका विचार करिए । भारत की चारों तरफ से सीमाएं खुली हुई है । अन्तर्राष्ट्रीय स्तर के ऊपर चाहे जिस संस्था के आप सदस्य बन गए हों लेकिन भरोसा मत करिए कि स्वाभिमान के साथ आप खड़े हों, दुनिया के किसी भी देश को इसमें किसी भी प्रकार की रुचि है । हर एक समझ रहा है कि 80 करोड़ का भारत स्वाभिमान के साथ, अपने चरित्र के बल पर अगर खड़ा हो गया तो न इसे अमरीका से, न रूस से, न चीन से दबने की आवश्यकता पड़ेगी और न मानसिक, न आर्थिक और न शारीरिक गुलामी यह सहन करेगा । इसलिए पहले तो यह सोचकर रहिए कि जो हमारे राष्ट्रीय चरित्र की रीढ़ है, यह रीढ़ ही टूटी रहे, निर्बल रहे, आज जगत को इसी में रुचि है । इसके अतिरिक्त किसी बात में रुचि नहीं दिखाई दे रही है । महोदया, मैं आलोचना के लिए नहीं कह रहा हूं , लेकिन मोरारजी भाई देश के जब प्रधान मंत्री बने तो मैं भी एक राज्य में वित्त मंत्री था, तो भारत के सभी राज्यों के मुख्य मंत्रियों और वित्त मंत्रियों की बैठक दिल्ली में बुलाई गई थी । पहली बैठक में यह प्रस्ताव आया कि भारत के अंदर शराब का चलते रहना सबसे बड़ा कलंक है। जितनी नशीली दवाएं हैं उनकी जननी शराब है । कुछ लोग उस समय तर्क दे रहे थे कि राज्यों की आर्थिक आय कम हो जाएगी । कोई कहता था कि 42 करोड़ कम हो जाएंगे, कोई कहता था 38 करोड़ का नुकसान, होगा लेकिन कम से कम एक बात के लिए उस महा-पुरुष को नमन करना पड़ेगा जो हिमालय की तरह, चट्टान की तरह डटा रहा । उसने कहा कि हिम्मत के साथ इसका सामना करो । 4 साल में संपूर्ण भारत से शराब के उन्मूलन की योजना बनी । पहले ही साल में उनके राज्य ने इसको समाप्त कर दिया । कई

राज्यों ने इसको इस समय हाथ में लिया था लेकिन वह शासन समाप्त हो गया। इसके संकट को आप समझिए और राष्ट्र के ऊपर होने वाले आघात को समझिए और अभियान चलाइए। मुझे तकलीफ होती है कि आपको यह बात नहीं समझ आती है। हर काम के लिए आप प्रधान मंत्री को जोड़ते हो। झाड़ देने का काम हो तो प्रधान मंत्री ने सोचा कि कैसे अच्छा झाड़ू बने, नशीली चीजों का काम हो तो प्रधान मंत्री का नाम लिया जाता है। हर काम के लिए प्रधान मंत्री पर इतना भार मत दीजिए। अलग अलग विभाग हैं, इतना बड़ा मंत्रिमंडल है, प्रधान मंत्री को मत घसीटिए। अगर आपकी सरकार किसी काम में सफल होती है तो प्रधान मंत्री को श्रेय अपने आप मिलता है। इसलिए मैं समझता हूं कि इस विधेयक से कोई भी परिणाम निकलने वाला नहीं है, इसलिए मैं कहना चाहता हूं कि राष्ट्र के इस घोर संकट को समझिए और इससे बचाने के लिए राष्ट्रीय अभियान चलाइए और सर्वदलीय बैठक बुलाकर दो चार पांच सुझाव लोगों से लीजिए। आप इस प्रकार के कदम उठाइए और इस संकट से राष्ट्र को बचाइए। यही कहकर मैं अपनी बात समाप्त करता हूं। इति

श्री हरिसिंह (उत्तर प्रदेश) : माननीय डिप्टी चेयरमैन महोदया, अभी इस सदन में नारकोटिक्स और साइकोट्रोपिक ड्रग्ज अमेंडमेंट बिल पर चर्चा हो रही है। महोदया, इस बिल को पढ़ने से पता लगता है कि सरकार इस विकट समस्या को, विशाल समस्या को, दुखदायी समस्या को कितनी गंभीरता से ले रही है। बिल को अगर गौर से पढ़ें तो जितनी इन चीजों के व्यापार के रास्ते हैं, आवागमन के रास्ते हैं, बिक्री के रास्ते हैं, उनको रोकने के लिए बिल में बड़े ही विस्तृत उपाय किए गए हैं। इसमें मृत्यु दंड का भी प्रावधान है, और धंधा करने वालों की संपत्ति जब्त करने का भी प्रावधान है। यही उससे ऊपर कर दी गई है। मैं ज्यादा तफसील में नहीं जाना चाहता, लेकिन इसमें कानून को मजबूत किया गया है। इनके आने जाने के, बिक्री के, इस्तेमाल करने के, आवागमन के जो रास्ते हैं वे अंतर्राष्ट्रीय जगत से जुड़े हुए हैं, मुझे खुशी हुई कि मंत्री जी ने बताया कि हमने अंतर्राष्ट्रीय जगत में जो सम्मेलन हुए हैं, उनमें भी भारत की तरफ से क्रियाशील होकर भाग लिया है। कई समझौते किये बल्कि यह कहने में मुझे खुशी है कि हमारे यूनाइटेड नेशन्स की एक शाखा है वह भी इस इश्यू पर बड़ी गम्भीरता से विचार कर रही है। यह नहीं कि देश में सिर्फ कानूनी तौर पर बल्कि अन्तर्राष्ट्रीय जगत में एक वातावरण पैदा करके, उनका कोआपरेशन लेकर, उनका सहयोग ले कर यह सब किया जा रहा है कि यह धंधा बड़ा खराब है, दवाओं के सेवन से, मादक पदार्थों के सेवन से युवा पीढ़ी तो खराब होती ही है साथ ही राष्ट्रीय सम्पत्ति, राष्ट्रीय मनोबल, राष्ट्रीय चरित्र, राष्ट्रीय भविष्य और राष्ट्र का आर्थिक ढांचा भी चरमरा जाता है। अभी पता लगा कि कम्बोडिया, बर्मा, शिलांग, अफगानिस्तान का कुछ बार्डर और तुर्की इन सब जगह से यह मादक द्रव्य आते हैं। इत्तफाक की बात है कि इन सारे देशों में कुछ न कुछ हलचल, हंगामी हालत बनी हुई है। इस सब के बावजूद भी भारी तादाद में मादक द्रव्य वहां से आते हैं। यह बड़ी गम्भीर समस्या है।

इसमें स्पेशल कोर्ट का भी प्रावधान किया गया है, स्पेशल जज का भी प्रावधान किया गया है। इस पर बड़ी गम्भीरता से चोट की जा रही है कि जो मादक द्रव्य का व्यापार हो रहा है, खरीदारी हो रही है इसको तेजी से रोका जाए। यह काम तो आप ठीक कर रहे हैं लेकिन स्पेशल फोर्स का भी आप प्रावधान रखिये। जिस तरह से स्पेशल अदालत, स्पेशल जज का प्रावधान किया गया है उसी तरह से स्पेशल फोर्स भी होनी जरूरी है। हमारे देश में पुलिस है, बार्डर सेक्यूरिटी फोर्स है, सेन्ट्रल रिजर्व पुलिस फोर्स है, सीमाओं पर लगी फोर्स है जो हमारे आने-जाने पर पाबन्दी

[श्री हरि सिंह]

लगा सकती है । जो आन्तरिक पुलिस है वह भी इस के लिए काम कर सकती है । आप जानती हैं कि पुलिस का ध्यान और मन कहां होता है । वह कहती है कि यह हार्मलैस साइम्स है । इससे कोई नुकसान नहीं होगा । डकैती हो जाए, कत्ल हो जाए, कोई मारा जाये, कोई दंगा हो जाए तो उस समय सब तिलमिला उठते हैं । टेलीफोन पर टेलीफोन होने लगते हैं, इंक्वायरी होती है, जांच कमीशन बैठते हैं । यह सब हो जाता है लेकिन इस समस्या पर पुलिस दरोगा मिल कर सांठगांठ करके खामोश होकर करोड़ों रुपये कमाते रहते हैं । (**समय की घंटी**) मुझे बोलते हुए एक-दो मिनट ही हुए हैं...

उपसभापति: आपके पांच मिनट हो चुके हैं ।

श्री हरि सिंह : यदि आपके पास कोई रिकार्ड हो तो आप देखियेगा कि हमने कभी भी आपकी घंटी बजाने की नौबत नहीं आने दी । मैं बड़ी चुनौती के साथ कह सकता हूं । मैं बड़ा संयत, अनुशासित ढंग से बोलने वाला हूं । समय का बड़ा ध्यान रखता हूं । अगर इतना ही वक्त दिया गया है तो मैं अपनी बात यहीं खत्म कर देता हूं ।

उपसभापति: आप दो-चार मिनट और बोल लीजिए ।

श्री हरि सिंह : आप ने तो गाड़ी पटरी से उतार दी ।

उपसभापति: पटरी पर चढ़ा दीजिए ।

श्री हरि सिंह: सीमाओं पर चौकसी बढ़ानी चाहिए । लेकिन साथ-साथ हमारे देश के अंदर जो अफीम की खेती होती है वह सीमित ढंग से होनी चाहिए । दवाओं के लिए जितनी आवश्यक है सिर्फ उतनी ही खेती एलाउ करनी चाहिए । यह सीधी केन्द्रीय सरकार की नजर में, उसके हिसाब किताब के अंदर होनी चाहिए । यह जो हमारा एक्साइज डिपार्टमेंट है यह बड़ा गोलमाल करता है । यह अंडरहैंड कराके खेती को बढ़ाता है और अवैध व्यापार कराता है । मादक द्रव्यों के आने-जाने से हथियार भी आ रहे हैं । नौजवान भी खराब हो रहे हैं । इसके साथ यह भी हो रहा है कि बहुत सारे मजदूर जो काम करते हैं उनके मालिक उनसे एडहोक पर काम लेते हैं । मजदूरों को ठेका देते हैं । उनको मादक द्रव्य खिलाकर ज्यादा से ज्यादा काम उनसे लेते हैं । पंजाब में क्या होता है? जब फसल कटने का वक्त आता है तो मजदूरों को मादक द्रव्य खिलाकर रात-दिन काम लिया जाता है । पंजाब में फसल काटते वक्त कितने ही मजदूरों के हाथ कट जाते हैं । इस सम्बन्ध में सरकार एक कानून भी लायी थी कि खेत में काम करते वक्त किसी के हाथ कटते हैं तो उसकी भारी तादाद में कम्पनसेशन दिया जायेगा । हमारे देश में मजदूरों का ज्यादा शोषण करने वाले लोग है । मैं इस मौके पर यह कहना चाहता हूं कि जो प्रचार, प्रोपेगैण्डा है, टेलीविजन है, प्राइवेट या आफिशियल अगर आप इनको गौर से देखें, उपसभापति महोदया मैं आपसे ही कह रहा हूं, उसका टोटल जो निकलेगा तो आदमी के मन में यह बात आती है कि इसको खा कर देखा जाए कि सचमुच ऐसा होता भी है या नहीं ।

तो यह प्रोपोगन्डा पोस्टरों और टेलीविजन तथा दूसरे माध्यमों से होता है उसके संबंध में हमें बहुत कांशस होकर काम करना चाहिए क्योंकि कभी-कभी ऐसा लगता है कि जो कुछ दिखाया जाता है, क्या वास्तव में वैसा होता है या नहीं । यह प्रचार कार्य बहुत ही प्रोपर्ली और कांशस ढंग से किया जाना चाहिए । हमारी मंशा तो इन दुर्गुण को दूर करने की होती है, लेकिन जितनी भी फिल्में दिखाई जाती हैं उनके देखने से तो ऐसा लगता है कि मादक द्रव्यों की तरफ उत्साह दिखाया जा रहा है और लोगों को इसके लिए लालायित किया जा रहा है । इसलिए पब्लिसीटी करते समय हमें बहुत कांशस होकर काम करना चाहिए । यह प्रचार का काम बड़े पैमाने पर किया जाना चाहिए । हम देखते हैं कि हमारे कालेजों के लड़के इन दवाओं के आदी होते जा रहे हैं । इसका एक कारण यह भी है कि हमारी सोसाइटी में फ्रस्ट्रेशन बढ़ता जा रहा है । इसलिए सरकार को इस फ्रस्ट्रेशन को भी दूर करने का प्रयास करना चाहिए । इन शब्दों के साथ मैं

अपनी बात समाप्त करता हूं और इस बिल का समर्थन करता हूं और यह कहना चाहता हूं कि हमारी सरकार ने इस विकराल और भयंकर समस्या की गम्भीरता को समझा है ।

श्री ईश दत्त यादव (उत्तर प्रदेश) : माननीय महोदय, यह जो स्वापक औषध और मन:प्रभावी पदार्थ (संशोधन) विधेयक 1988 माननीय मंत्री जी ने प्रस्तुत किया है, मैं इसका समर्थन करता हूं क्योंकि यह कानून देश के हित में है । सन् 1985 में यह कानून बनाया गया था और अब इसको तीन वर्ष हो गये हैं । ऐसा लगता है कि सरकार उस कानून के प्रयोग करने में असफल रही है । मैं नहीं समझता कि उस कानून में कोई कमजोरी रही हो । यद्यपि इस विधेयक के जरिये कुछ परिवर्तन किया जा रहा है, लेकिन सन् 1985 का जो प्रावधान था उससे भी सरकार चाहती तो मादक द्रव्यों वाले स्मग्लरों से निपट सकती थी । लेकिन सभी की आशंका है, सभी ने चिन्ता व्यक्त की है और मेरी भी यही चिन्ता है कि सरकार चाहे जो भी कानून पास कर ले, अगर वह लड़ाई नहीं करेगी तो इसमें कोई सुधार होने वाला नहीं है । हमारे देश में पाकिस्तान की सीमा से करोड़ों रुपये की नारकोटिक्स स्मग्ल हो कर आती है । इसको रोकने के लिए किस कानून की आवश्यकता थी ? पाकिस्तान के बार्डर को सील करने के लिए तो पर्याप्त बजट की एलोकेशन की गई थी और पार्लियामेंट ने इसकी स्वीकृति दी थी क्योंकि यह चिन्ता व्यक्त की गई थी कि उससे उग्रवादी आ रहे हैं और सीमा से स्मग्लिंग हो रही है । इसके लिए पर्याप्त धन की स्वीकृति पार्लियामेंट ने दी थी । लेकिन इतना होने के बावजूद तस्करों के लिए हिन्दुस्तान एक अड्डा हो गया है । सारा स्मग्लिंग पाकिस्तान के बार्डर से हो रहा है । मैं समझता हूं कि दुनिया में 80 प्रतिशत मादक द्रव्यों की जो सप्लाई होती है वह अपने देश हिन्दुस्तान से होती है और इस बात को माननीय मंत्री जी भी स्वीकार करेंगे क्योंकि 1987 में इन्टरपोल ने जो 7.7 टन हिराइन पकड़ी थी उसमें से 2.7 टन माल हिन्दुस्तान के जरिए विदेशों में गया था । इसलिए मैं यह कहना चाहता हूं कि जब तक कड़ाई से कानून का पालन नहीं किया जाएगा तब तक कानून बनाने से कोई सुधार नहीं हो सकता है । आज हमारे देश में इस तरह के अपराध बढ़ते जा रहे हैं । इसमें कुछ लोगों की साजिश होती है, कुछ बड़े लोगों का हाथ होता है । ऐसी बात नहीं है कि पाकिस्तान से आकर ये द्रव्य यों ही हिन्दुस्तान के बाहर निकल जाते हैं । इस देश के बड़े-बड़े लोग, पूंजीपति लोग, जिनमें कुछ अफसर लोग भी होते हैं, नौकरशाह होते हैं, ये लोग भी इसमें शामिल होते हैं । मुझे यह बात कहने के लिए क्षमा करें कि इसमें कुछ सरकार के लोगों का भी हाथ होता है । इस देश में जब आपतकाल था तो राजनैतिक लोगों के साथ कुछ स्मग्लर्स भी गिरफ्तार किये गये थे। और बम्बई में इस देश के एक कुख्यात स्मगलर ने बयान दिया था, मैं तो उस समय जेल में था, मैंने जेल में यह समाचार पढ़ा था । उसने बयान दिया कि आज की सरकार में यह हिम्मत नहीं है कि वह मुझे गिरफ्तार कर सके । क्योंकि दिन में वे चाहे मेरे खिलाफ कुछ भी भाषण दें मगर रात को सरकार के लोग मेरे सामने पैसों के लिए हाथ फैलाते हैं । माननीया, मिश्रा जी कह रहे हैं कि यह हाजी मस्तान ने कहा है । तो महोदया, मैं यह कह रहा था, मैं सरकार की नीयत पर, सरकार की नीति पर शक नहीं कर रहा हूं । लेकिन जब तक आप इन पर अंकुश नहीं लगायेंगे तब तक आप इसमें सफल नहीं हो सकते । आपका जो एक्साइज डिपार्टमेंट है, आपका जो पुलिस डिपार्टमैंट है, मैं जानता हूं और सभी लोग जानते होंगे कि एक्साइज के लोग गांजा पकडेंगे एक क्विंटल और 10 किलो उसमें दिखाकर उसका चालान कर देंगे और बाकी 90 किलो बेच डालेंगे । इसी प्रकार से ओपियम में है । जितना पकड़ेंगे उसमें से थोड़ा दिखायेंगे बाकी बेच डालेंगे । शराब पकड़ी जाती है पेटी की पेटी लेकिन 10-5

[श्री ईश दत्त यादव]

बोतल के साथ व उस व्यक्ति का चालान कर देंगे और बाकी जो होगी एक्साइज विभाग के लोग रोज रात को उसका सेवन करेंगे । आप चाहे कितने ही कड़े कानून बना लें, आप चाहे एक लाख के जुर्माने का कानून बना लें, उनकी संपत्ति जब्त करने का कानून बना लें लेकिन जब तक आप कड़ाई के साथ इस कानून का पालन नहीं करवायेंगे तब तक इस पर रोक नही लगा सकते हैं, (समय की घंटी) मैं समाप्त कर रहा हूं ।

आज दिल्ली के अंदर क्या है ? दिल्ली के अंदर लगभग 1 लाख व्यक्ति ऐसे हैं जो नशाखोरी के शिकार बन चुके हैं और इनमें से 10 हजार छात्र हैं । जो कनाट प्लेस का मैदान है, जहां टहलने के लिए लोग आते हैं, वहां पर विदेशी पर्यटक चरस पीते हैं भांग पीते हैं और शराब पीते हैं । हमारे नौजवान और दूसरे लोग जो वहां जाते हैं उनको इससे इस ओर बढ़ने की प्रेरणा मिलती है । सरकार ने कभी इस पर गंभीरता से विचार किया है कि जो विदेशी पर्यटक इस देश के अंदर आ रहे हैं वे किस तरह के पर्यटक हैं । क्या वे इस तरह के मादक द्रव्यों का प्रभार तो नहीं करेंगे ? सरकार को इस पर भी गंभीरता से विचार करना चाहिए और इस तरह सरकार को कड़ाई करनी चाहिए सरकार को मैं केवल यह सुझाव देना चाहता हूं, कि शराबखोरी और नशाखोरी का मुख्य कारण इस देश के अंदर बेकारी है। शराबखोरी इस देश क के लिए सबसे बडा कलंक है, बड़ी घातक चीज है और देश के जनतंत्र को समाप्त करने वाली चीज है । पूज्य महात्मा गांधी जी ने कहा था कि हत्या, बलात्कार चोरी ये सब पाप हैं लेकिन नशाखोरी जो है वह महा पाप है । जो नशा लेता है वह जरूर इस तरह के अपराध करेगा । वह चोरी करेगा, वह हत्या करेगा, वह डकैती डालेगा, तमाम अपराध करेगा । इसलिए जब तक सरकार इस पर नियंत्रण नहीं करेगी, ईमानदारी और कड़ाई के साथ इस पर नियंत्रण करने की कोशिश नहीं रेगी, तब तक अपने देश का जो भाग्य है वह सुधरने वाला नही है ।

सदन का ज्यादा समय न लेते हुए इन शब्दों के साथ में माननीय मंत्री जी से आपके माध्यम से अनुरोध करना चाहता हूं कि वह कानून जो आप पास करा रहे हैं इस कानून का पालन आप कड़ाई के साथ करें और कड़ाई करनी होगी अपने अधिकारियों पर जिन्हें इसको कार्यान्वित करना है, जिनको इसे इम्पलीमेंट करना है । उनके ऊपर आपको कड़ाई करनी पडगी । ईमानदारी से अगर व लगेंगे तो इन प्रावधानों के अंतर्गत इसकी समाप्त करना आपके लिए कोई कठिन काम नही होगा ! धन्यवाद ।

SHRI GHULAM RASOOL MATT (Jammu and Kashmir): Madam, before I speak on this Bill, I wish to take this opportunity to congratulate the honourable Minister, Shri Aji Panja, and the officers of the Revenue Department, because I find that during the last one year or so, the Minister and the Department of Revenue have taken keen interest in the eradication of this menace which is sweeping the country.

I also compliment the Minister for bringing forward a comprehensive legislation to combat the menace of drug trafficking and drug abuse,.... and for incorporating capital punishment for drug traffickers for committing second offence. This is a very welcome step, and I congratulate the dynamic Minister for this thing.

But, Madam Deputy Chairman, there are two aspects of this problem which have to be taken into consideration. The first aspect is that in our country at least—of course, we cannot take care of the traffic that is coming from the golden triangle or whatever triangle you call it—in our country we have to try to nip the evil in the bud. The first step towards this

direction is that we must have an exhaustive campaign against eradication of poppy cultivation and other cultivation in the entire country. I understand that in 1987 and 1988 more than 50 acres of illicit cultivation of poppy was destroyed in Chitraka taluk of Dehradun; more than 1000 acres of illicit cultivation of Ganja was destroyed in the States of Kerala, Tamil Nadu and Manipur. This drive needs to be intensified. But how do you go about it?

Madam Deputy Chairman, you are from Bombay and you know more than I do that for prevention of Customs the Department is spending so much on motor boats, other boats, officers and others, while the annual seizbures are not more than Rs. 10—15 crores. I request the hon. Minister that if he has to nip this evil in the bud, apart from these things—he has to go to the root of this and eradicate the cultivation of this menace—he has also to strengthen the organisation. If for amassing only a few crores of rupees he is spending a lot of money for Customs prevention-marine patrol duties this and that—he has to have a similar organisation. He must come out with a plan from the Finance Ministry, a perspective plan, for the entire country. Unless this is done, this menace cannot be prevented. Madam, this is possible only when the revenue officers and forest officers are also taken into cognizance of the ambit of this Bill. That can be done. I suggest that the hon. Minister convenes a conference of Chief Ministers of all the States and tell them that this is the menace and the problem. This is not like customs and others where only a little money is involved. In this the very foundation of our society is involved. As my friend Mr. Morarka was telling, in Bombay alone there were three lakh addicts. We have to take this problem into consideration. It will cut into the very roots of our society. You have to strengthen your police force, you have to strengthen the forest officers. That is of course not possible without the cooperation of the States, because the police and revenue officers are under State control. I would request him to call a conference of Chief Ministers of States and pose this problem. The country faces this terrific problem. Officers of the Forest Department have got to be taken into confidence so that the cultivation of poppy, ganja and things like that is eradicated before it is harvested. I must say that during the last year—if my figures are not correct, the Minister will correct me—as against 761 kg. in 1985, they have seized 2621 kg. in 1986 and 2747 kg. in 1987 and as on 1.12.88, the figure of seizes is as high as 2819 kg. of heroin. With regard to hashish, as against 10,000 and odd kg. in 1985 it has gone up to 17,234 kg. About methyl chlorine from 7.5 kg., it has gone up to 1293 kg. The Minister will kindly tell pre-trial destruction of drugs. I understand that heroin to the tune of 1619 fifi., ganja to the tune of 2,12,326 kg. ...and hashish 31,899 kg. have been destroyed This is a very welcome step and I must say that the enforcement agencies like Customs, Central Excise and the C.B.I. have made remarkable seizures, as can be seen from these figures. But it is not enough. Ours is a big continent and we have to face this situation in a big way. (Time Bell rings) Madam Deputy Chairman, since you have rung the bell, I would draw the attention of the hon. Minister to one or two things...

THE DEPUTY CHAIRMAN: The ringing of the bell means that you please sit down. It does not mean that you start asking questions.

SHRI GHULAM RASSOL MATTO: With regard to the Bill itself, the hon. Minister has stated at page 5 that they have fixed certain quantities—for instance, opium 10 kg. and morphine 1 kg.—and on the second offence, death penalty should be imposed. There is one thing lacking in the Bill. What about those cases

[Shri Ghulam Rasool Matto]

where you get a single haul of 100 kgs in the first seizure? A particular person who has been trafficking in 100 kgs. of morphine should get the death penalty in the first instance. I feel that in such cases the deterrent death sentence should be provided in the first instance and not in the second instance. I find from the records that there have been seizures to the tune of 50 kgs. 100 kgs. and 200 kgs. There is a big racket going on. They should be hanged in the first instance. (Time bell rings). The second most important thing is with regard to the National Fund for Control of Drug Abuse.

THE DEPUTY CHAIRMAN: Please conclude.

SHRI GHULAM RASOOL MATTO: I am trying finish.

THE DEPUTY CHAIRMAN: We have to adjourn the House. The Minister has to reply. It is already quarter to seven now.

SHRI GHULAM RASOOL MATTO: Please give me two or three minutes more.

THE DEPUTY CHAIRMAN: I can't give you 2-3 minutes more. Please excuse me. Please sit down. Don't argue with the Chair.

SHRI GHULAM RASOOL MATTO: I am making an important point.

THE DEPUTY CHAIRMAN: I know that you are making an important point. But there is no time.

SHRI GHULAM RASOOL MATTO: I would request the hon. Minister...

THE DEPUTY CHAIRMAN: Everybody has to go home.

SHRI GHULAM RASOOL MATTO: I would request the hon. Minister to tell us whether this Fund can also be utilised for having therapeutic and rehabilitation centres where drug addicts can be treated and also for having educational centres. If it is not in his plan, then he should form a National Perspective Plan for these two things. This is very important and this must be done. (Time Bell rings).

THE DEPUTY CHAIRMAN: Please conclude, Mr. Matto.

SHRI GHULAM RASOOL MATTO: You are derailing me.

THE DEPUTY CHAIRMAN: Yes, I am derailing you. Please sit down.

SHRI GHULAM RASOOL MATTO: All right. I have to obey.

THE DEPUTY CHAIRMAN: Your time is only two minutes for three Members. Mrs. Asima Chatterjee.

PROF. (MRS.) ASIMA CHATTERJEE (Nominated): Madam Deputy Chairman, I rise to support this Bill. Narcotic Drugs and Psychotropic Substances Bill was passed by this House in 1985. Now it has been placed before us for amendment of the parent Act, by making some provisions to strengthen the hands of the law enforcing authorities. India has been facing the problem of transit traffic in illicit drugs. This is increasing to such an extent that immediate measures should be taken to save the country from moral degeneration. A large section of the population, particularly the poor and the frustrated, and a section of our youth are becoming drug addicts.

The college and the university students particularly are consuming narcotic drugs of psychotropic substances which are not only harmful to health but cause irreparable damage to their intellectual abilities acting on their central nervous system. This should be seriously considered. In order to prevent this calamity, the dreadful action of this drug should be

taught to the students from the primary school level. The masses should be educated about the harmful effects of drugs through audio-visual programmes and various other mass media. The narcotic drugs and psychotropic substances taken in excess cause insanity. Though there is vigilance in border areas, both land and sea I feel that the border security forces should be more alerty. There must be constant vigilance. Suitable devices should be introduced to prevent smuggling of narcotic drugs and psychotropic substances from other countries into the border areas of India. Strict watch must be kept on Nepal and Sri Lanka. In fact, India is being used as a transit point, as mentioned by many hon. Members, for the export of narcotic drugs and psychotropic substances to the East and the West. During this transhipment, quite a good amount is being retained by drug racketeers, thereby causing serious drug abuse. In this context, it may be mentioned that an excellent exhibition has been organised by the hon. Minister in the Parliament Annexe. And he must be congratuated for organising such an excellent exhibition. And, I think, this should be displayed on TV for the benefit of our people. In this connection, I may mention that the Cabinet Sub-Committee under the Home Minister have examined this problem and made several suggestions for taking measures against illicit drug trafficking and drug abuse. I do not like to repeat these recommendations because these have also been mentioned by the hon. Minister. In this cotext, it deserves mention that people from outside are also encouraging drug trafficking in India through money power and this should be checked and controlled by all possible means. I believe that illicit drug trafficking and drug abuse could be prevented by developing bilateral, regional and international instruments of co-operation as mentioed by the hon. Minister. Besides strict vigilance in borders areas, as mentioned by me earlier, should be there. In addition, brown sugar, ice-creame, sweets, lozenges and cold drinks which are very often adulterated with these narcotic drugs and pscychotropic substances are to be analysed chemically. I think there should be chemical analysts appointed in large number to examine and detect if there is any adulteration in these items. There are many traitors and anti-social elements who for the sake of money practise these unfair means and illicit drugs trafficking thus ruining our country. Those harbouring the offenders are also to be identified and death with sterinly. Madam there are some points which I would like to mention in page 3, in the last wto sentences a mention has been made about the export of popy traw for decorative purposes. It is said:

"Provided further that nothing in this section shall apply to the export of popy straw for decorative purposes."

I think, even the poppy straw export should be banned because this con- alkaloids. Secondly, in page 5 of the Bill, pethidin has not been mentioned. Why? This is a synthetic substitute of morphine. So, pethidin should also be added in this list.

DR. YELAMANCHILI SIVAJI (Andhra Pradesh): Pethidin is much more serious than morphine.

PROF. (MRS.) ASIMA CHATTERJEE: Pethidin should be added in this list. And methagualone is used not only as a narcotic drug but also as a tranquilizer frequently. So, wherever the lists of tranquilizer drugs are there, I would request through you, Madam, the hon. Minister to take care of this methaqualone because

[Prof. (Mrs.) Asima Chatterjee]

this is a very powerful tranquilizer. I would also like to suggest that all the pharmaceutical premises should be raided regularly just to find out whether they are producing any psychotropic substances or narcotic drugs more than what they are licensed for because sometimes it so happens that they produce larger quantities and they hoard huge stocks and they silently pass them on to the persons who are involved in drug trafficking. Naturally, in this context, the States must be co-operative with the Centre. Otherwise, it will be impossible for the Centre alone to prevent this mischief.

Madam, these are some of the points which I wanted to make regrading this Bll. So. I am very short in my submission. I thank you, Madam. I hole-heartedly support this Bill and I do hope that the suggestions that I made would be acceptable to the hon. Minister.

श्री आनन्द प्रकाश गौतम (उत्तर प्रदेश) : आदरणीय उप सभापति महोदया, आज यह जो मंत्री जी द्वारा प्रस्तुत जिस बिल पर चर्चा हो रही है मैं उस बिल का स्वागत करता हूं। महोदया, आज नारकोटिक ड्रग्ज का सेवन और उसकी तस्करी इस देश की एक बहुत बड़ी गंभीर समस्या बन गई है। हमारे देश में इसका सेवन अभी हमारे पूर्व वक्ता सदस्यों ने स्पष्ट रूप से यह बताया कि देश के गरीब और कमजोर लोग जो क्षयश्रम में लगे हुए हैं, मेहनत-मजदूरी में लगे हुए हैं, व इसका सेवन करते हैं अपने गम भुलाने के लिए, अपने मनोरंजन के लिए और शांति की नींद सोने के लिए और दूसरी तरफ हमारे देश का नौजवान इस ड्रग के सेवन में उलझता जा रहा है और फंसता जा रहा है। इसलिए कि उसके सामने बेकारी की समस्या है, उसके सामने कोई काम नहीं है। इसलिए वह उसकी ओर अपने को लगाता जा रहा है। महोदया, इस विषय में जहां तक इसके कुप्रभाव के बारे में प्रचार और उसकी शिक्षा को बढ़ावा देने की बहुत आवश्यकता है वहीं समाज को नारकोटिक ड्रग्स से बचाने के लिए फैक्टरी मजदूरों की तरफ कृषि मजदूर और असंगठित रोजमर्रा के जो शहरी मजदूर हैं उनके लिए श्रम कानूनों में संशोधन करके उनके मनोरंजन के लिए उनकी उचित शिक्षा के लिए ताकि वे अपना एक सुखद जीवन व्यतीत कर सके और उनसे कोई अधिक काम न ले सके, ऐसी भी श्रम कानन मे कोई व्याख्या करनी पड़ेगी ताकि वे नारकोटिक ड्रग्ज के सेवन में फंसने न पाएं। माननीय महोदया, जहां तक नौजवानों का प्रश्न है उनके लिए और उनके बीच में जो बढ़ती हुई बेकारी है उसको देखते हुए रोजगारजनक योजनाओं को बढ़ावा देना होगा और रोजगारजनक योजनाओं को लागू करना होगा इसकी आज देश को बहुत आवश्यकयता है।

महोदया, तस्करी की चर्चा सभी माननीय सदस्यों ने की कि यह एक बहुत बड़ी गंभीर समस्या है। जब हम इसके निदान की ओर सोचते हैं तो निश्चित ही उसके कारणों की ओर हमें सोचना पड़ेगा कि तस्करी क्यों होती है और उसमें कौन-कौन से लोग लगे हुए हैं। जब हम देखते हैं तो इसमें हम दो-तीन लोगों को बहुत जिम्मेदार पाते हैं। एक तो वह लोग जो नारकोटिकट ड्रग्स या साइकोट्रोपिक वस्तुओं का उत्पादन करते हैं। उनका भी सहयोग उस तस्करी में होता है। दूसरी तरफ वह लोग जो कानून को लागू करके तस्करी को रोकना चाहते हैं। वह कानून जो ठीक से लागू नहीं करते और वह भी उसमें सम्मिलित होते हैं जैसा कि अभी हमारे भाई ईश दत्त जी ने अपने वक्तव्य में कहा कि दरोगा जी एक क्विंटल अफीम दिखा कर क्योंकि अफीम को नजायज पकड़ते हैं और उसको एक किलो अफीम तरीके से पैसा कमाने के लिए खुद ही तस्कर के हाथ में बेच देते है, क्योंकि उसके लिए कोई उचित दुकान नही है। इसलिए यह भी तस्करी में सम्मिलित होते हैं। दूसरी तरफ हमारा किसान जो अफीम का उत्पादक न करता है। वह भी इसलिए कि उसको तीन सौ रुपए किलों या चार सो रुपए किलों के भाव से पैसा

सरकार देती है और इससे उसके उत्पादन की लागत भी नहीं आ पाती और वह मजबूर हो करके अपने उत्पादन को अपने माल को तस्करों के हाथ में बेचता है पांच हजार रुपए किलों के भाव से, जो इस प्रकार वह भी चोरी करने के लिए एक तरह से बाध्य है। इसलिए उस दिशा में भी हमको उनके लिए सोचना पड़ेगा। सुरक्षा के लिए बार्डर पर जो लोग लगे हुए हैं कि वह तस्करी न होने पाए उनका भी तस्करी में एक तरह से बहुत सहयोग रहता है। वे कुछ पैसे ले करके माल को जाने देते हैं। महोदया, अभी बड़े-बड़े तस्करों का नाम आया और आज तस्करी का धंदा बड़ी तरक्की पर है। पहले अफीम की तस्करी होती थी, अब उसमें बड़े तकनीकी तरीके निकाले गए हैं। हशीश, हैरोयिन और इसी तरह ब्राउन शूगर यह सारे अफीम से बनते हैं और लोगों की थोड़ी मात्रा में ले जाने में काफी पैसा मिलता है। इतने वर्षों से सरकार के इतने कड़े कानून होते हुए भी आखिरकार यह क्यों नहीं रोका जाता है और बड़े-बड़े तस्कर अपने व्यापार में तरक्की करते जा रहे हैं, उनके क्या कारण है ?

7.00 P.M.

महोदया, जहां किसान, आपके कर्मचारी, विभाग के अधिकारी इन सब का सहयोग है, वहीं दूसरी ओर मुझे यह भी कहने में संकोच नहीं है, कि हमारे जो ऊंचे ऊंचे पदों पर बैठे हुए लोग हैं, जिम्मेदार लोग हैं, वे लोग भी कुछ दोषी हैं। हमे राजनीतिक हस्ताक्षेप और राजनैतिक संरक्षण से भी तस्करी की ओर जो हैं सोचना होगा क्योंकि लोग टेलीफोन पर कह देते हैं कि हमारा आदमी है, और अधिकारी उसको छोड़ने के लिए मजबूर हो जाता है। तो इसके लिए जो ऊंचे पदों पर बैठे हुए लोग हैं, वह भी दोषी हैं।

जहां तक कानून का संबंध है, आपने इतना अच्छा कानून बनाया है और इसकी मैं सराहना करता हूं। लेकिन साथ ही मैं आपसे यह भी अनुरोध करता हूं कि इतने कड़े कानून जो आपने बनाये हैं, उसको लागू करने के लिए आपके इरादे भी पक्के होने चाहिए तभी इनका सही उपयोग हमारे देश में हो सकता है, तस्करी रुक सकती है और तस्कर-मादक वस्तुओं के सेवन से हमारे देश की युवा पीढी, किसान और मजदूर को भी बचाया जा सकता है।

इन्हीं शब्दों के साथ, महोदया, मैं आपको धन्यवाद देता हूं।

SHRI AJIT PANJA: Madam, I am grateful to all the Members who participated, and also to you for giving a patient hearing even on the last day, at the fag end of this session, for the lively discussion that took place in respect of the amendment to this very important Bill.

So far as the question of combating this menace is concerned, we are adopting the international strategy which is being described internationally, all over the world, even in the U.N. Convention as the comprehensive multi-disciplinary outline. There are four points through which this drug trafficking and other abuses are being tackled. First is prevention and reduction of illicit demand for narcotic drugs and psychotropic substances. The second is control of supply. The third is suppression of illicit trafficking, and the fourth, of course, is the treatment and rehabilitation.

So far as the first point of prevention and reduction of illicit demand of narcotic drugs is concerned, unless the demand is reduced, we cannot control it. So, the strategy is that we have to make our information system so strong in intelligence that we are able to combat these enmies of the nation. It is true, and we have this information, as Members have said, that in front of the schools and colleges, these pedlars—as they are called the pedlars of slow death—are there who are creating a demand

[Shri Ajit Panja]

by inducing innocent children and trying to make them into addicts, and then demand is created. Therefore, the first strategy adopted is prevention and reduction of demand for these drugs, and for this strategy, we have to first look after the people who are not the consumers but who actually are the suppliers. That is why , the second point comes in automatically, that is, control of supply. This is a menace created by human beings. It is not like small-pox or malaria whose germs are carried by the mosquitoes or by other germs. It is the human beings who want to become rich overnight. They not only do so for money, but I agree with some of the Members who said that this is an attempt made by some powers so that, the developing countries, their civilisation, their culture and heritage is slowly poisoned through the drug menace. We are a transit country located between the golden triangle and the golden crescent. This demand leads to increased production of Heroin in the golden triangle, region of Burma-Laos-Thailand, and the golden crescent region of Pakistan, Afghanistan and Iran. When these drugs are in transit through India to the various consuming countries in the West, it spills over and our people are affected.

This Act came into operation in 1985. Action has been taken since this Act came into force. In this connection, I am glad to share this information with the House. Interpol has given a report according to which the percentage of heroin which originated or was obtained in India and which was seized in the consuming countries of Europe was 35% in 1985. This was the year when this Act came into force. Here I, do not agree with the hon. Members that our officers are corrupt. Most of them—majority of them—are good and work hard. There may be one or two. In 1986, Madam, the percentage of heroin which originated was obtained in Indian and seized in Europe came down to 29%. In 1987, it further came down to 7 per cent. These figures given by Interpol establishes beyond any shadow of doubt that the Act has had its impact in these three years. We are now bringing in amendments to this Act because we cannot leave any stone unturned. Wherever we find lacunae, wherever we find that some kingpins are involved, action will be taken. Death penalty has been provided now because, as I said, they are peddlers of slow death. They are corrupting the entire system. It is not like whisky and other things. This affects the entire nervous system. Not only that. If it is taken by a woman, even the child in the womb would be affected. The capacity to give birth to a baby who will be able to walk in the streets of India free from fear and with its head erect would be totally nullified unless it is changed right now. That is why this amending Bill has been brought in.

Now, about co-ordination. I think Mr. Matto mentioned this. He asked what is happening in the States. I would like to mention that a number of meetings have taken place here so far as the Cabinet Sub-Committee formed by the hon. Prime Minister is concerned. In the States monthly meetings are presided over by the Home Secretaries of the States and the reports are monitored by us. Monthly meetings have already taken place in Punjab, Delhi, Rajasthan, Gujarat, Maharashtra, Goa, Kerala, Tamil Nadu and West Bengal as well as in the North-Eastern States. In these monthly meetings, details are discussed and, Madam, in these meetings, the State Excise Departments, the Customs Department, the Central Excise Department, the Directorate of Revenue Intellegience, the Narcotics Control Bureau as well as the local police clasely inteach and coordinate. We are also taking it up with the Chief Ministers and others. There has to be such co-ordination. In such a vast country as ours where the border runs

along a distance of a little over 9,000 kms. and a coastline of about 6,000 kms., difficulty is there. But we are tackling it. I have given the Interpol figures which shows that the trafficking is coming down.

If somebody carries gold or arms or some type of metal, we are able to catch them by using metal detectors. If something is hidden in the dark, in the night, we can using night vision binoculars and goggles. M|s National Instruments Ltd. in Calcutta has developed such devices and they are being made use of. But in the case of narcotic drugs no gadget has been developed so far which can be used for detecting them. Therefore, we have to rely on information. We have to depend on the alertness of the people who give us information. We have to depend on our intelligence system and on the alertness of our officers. I am proud of our officers. They are making big hauls. Even two days ago, a seizure was made. Big quantities of narcotic drugs and psychotropic substances are being seized in Bombay and other areas. Nothing could be used as scientific instrument to catch them. So, it is the look of the man, the inforamtion given and on that basis action is being taken.

Of course, now a days some Alsatian dogs are being trained but their training and keeping is costly. Their keeping in kennels is very costly but we are looking into that. In the meantime we are using our human resources, the people of India. It is true that the law is made here but I am sure the hon. Members who participated in the debate today, after the end of the House, will go back to their respective constituencies, the same point was made by me to the hon. Members of the Lok Sabha also that when they go back to their respective constituencies they should hold meetings and create public opinion to make it into a peoples' movement. The moment it becomes a peoples' movement we will be able to crush this malady which is causing suffering to children and youngmen in the country. We have received reports that these things are happening in schools and colleges. Worst was the experience when it was found that even in jails and hospitals prisoners or drug addicts were being supplied narcotic drugs by the officers incharge in collusion with outsiders. That is why one of the amendments provides here that if an officer in charge of a hospital or jail or some such place is found that he is conniving or is in conspiracy with outsiders to supply drugs, the equal type of punishment will be there. that is 10 years or upto 15 years for the first offence, 15 years or upto 20 years for the second offence and also capital punishment can be there in the case of a second conviction where more then certain specified quantities are found. The details are given in section 31A. that is caluse 9 of this Bill on page 5. Therefore, the officers who are responsible, they are also taken care of even if these offences are committed.

So far as the National Fund for control of drug abuse concerned, we are doing it in three different ways for combatting drug trafficking, control of the abuse and any purposes specified in section 71(1). Matto said that this national fund could be used only for the purpose of NCB or for the medical treatment. If Mr. Matto cares to look at section 71(1) there is a specific provision made that this amount can be used for combatting drug trafficking, control of abuse and any purposes specified in section 71(1). This means, it can be used for centres for identification, treatment, education and after care rehabilitation as well as social integration of drug addicts.

It has also been stated that the United Nations have got a fund. we are not using it and only 18000 dollars have been given. It is not correct to say like that. 20 million dollars, that is Rs. 30 crores. approximately have been sanctioned by the United Nations after visiting and looking at our prob-

[Shri Ajit Panja]

lems. For NCB, for the purpose of payment to the salaries of the officers or other things, money is given from the fund given by the people of India. The UN fund will be spent for the purpose of equipping the NCB for the purpose of improving our information system and intelligence system and also for improving the infrastructure necessary for combatting this menance.

So far as the addicts are concerned, special provision has been made. Mr. Morarka made the point but has gone away. In the Act itself there is specific section 27. This is the only section even under the amending Bill in which power has been given to the Judge, in his own discretion to look after the addict in such a manner that he is sent straightaway to the hospital if he gives his consent. If he does not give his consent then the Judge has got his own discretion to send him for trial.

This is the only section where the judge has got powers for the purpose of giving such punishment as may be desirable. But, Madam, we have to provide for a deterrent punishment. There was an argument that the addicts must not be touched at all. Then there is no deterrence and if he is caught once, he will repeat it again. Therefore, once in a lifetime, the addict will be given benefit so that he can be taken care of at a certified Central or State dispensary and the judge may direct accordingly. He will not be punished—not punished at all once in his lifetime, but if he repeats it and again becomes a victim of this, then the law must take its own course. Otherwise, as I said, the demand remains there and the drug trafficker will go on supplying drugs.

Some of the hon. Members said that proper punishment is not being meted out to the people, but it is being given to the consumer. I find that this is not so. So far as punishment given is concerned, I find the kingpins are already behind bars—not all of them but most of them. Under the COFEPOSA Act, 167 drug traffickers have been detained and 221 drug traffickers are actually in detention under the prevention of Illicit Trafficking in NDPS, Act, 1988, which Ordinance became an Act; the total number now under detention is 388, who have been detained only for drug trafficking. I have got the list, but I do not want to take the trouble of citing all the names. But most of the king-pins—like Sanyal, Banerjee, Joginder Ray, Yudhishter Kumar, J. M. Malhotra, Sukhdev Singh Chuhal, Gurbux Singh Buriyani, Surendra Mehta—these are the main culprits who are behind the bars and we have detained them as per the law laid down by Parliament.

It has been stated by one of the hon. Members that Mr. Morarji Desai, the then Prime Minister, forced that there should be prohibition in spite of the argument that it would be a loss of revenue. It was also stated why in such a small matter our Prime Minister should be involved. We do not think that drugs and drug trafficking are small matters. It is the Prime Minister's leadership which gave us the impetus and the 14-Point Programme was given. Now it is being coordinated, again because of our Prime Minister, not only by the Revenue Department but also the Home Department, the Health Department, the Social Welfare Department, the Information and Broadcasting Department. All these five vital sectors for combating drug trafficking have been coordinated by the Prime Minister and the Home Minister has been made the Chairman. That is why so quickly we could go into it in detail. If Mr. Morarji Desai as Prime Minister could order prohibition, Rajiv Gandhi Ji has rightly directed us to tackle the drug menace properly so that it can be done in such a manner that the entire gamut is taken into consideration. It is our Prime Minister who gave the leadership in Nepal where in SAARC this matter came up. It is our Prime

Minister who put up this point that his must be one of the points which should be tackled properly and that is why in the SAARC also, one of the points which were agreed upon by all the SAARC countries was that for combating the drug menace, this has to be done. There are countries who are not doing warfare against developing countries and independent countries. They are trying to adopt two measures. One is through the communication system, by giving misinformation and disinformation through electronic media; and another is through drug trafficking. We have to crush this menace. All over the world, all sane people have come to the clear conclusion that they are enemies of he nations, they are enemies of human begins. In that event. We must units together and I do ask for complete cooperation from all Members and through you, from all the agencies. Voluntary agencies have been involved, it is true. To all the voluntary agencies we could not give aid. But we are trying to give to as many voluntary agencies as possible and with the blessings of this House, as passed in the Lok Sabha, as soon as this Bill is passed. You will be glad to know that tomorrow at 5 O'clock, I have called a meeting of all the Departments so that clause-by-clause implementation could take place and monitoring will be done every month. I hope, in the next session I will come with the full report as to how clause-by-clause monitoring has taken place. With these words, Madam, I request the House that the Bill be passed.

SHRI GHULAM RASOOL MATTO: Are the figures given by me confirem by you?

SHRI AJIT PANJA: Yes, the figures are correct. But about the apprehension shown by Mr. Matto that it is going up, the figures going up does not mean there are a lot of activities taking place. It is our officers who have become active and thereby catching them despite various difficulties.

SHRI GHULAM RASOOL MATTO: And the most important point is about destroying the seized drugs because it is alleged that they go back into the market. What is your reaction to it?

SHRI AJIT PANJA: I have heard that they are going back and recycling in the market but, after inquiry we found that it is not correct. To allay all suspicion, our experts are examining whether we can destroy it immediately on seizure, in public, ensuring the presence of the public. The difficulty is this that the experts are saying that even the ashes, after being burnt, keep some potency and, therefore, the question is how to get rid of those ashes. We have to take care of those ashes. They are saying that Thailand has started using water jets to completely throw them into a river. But we are still examining it because there are so many important things relating to our environment.

THE DEPUTY CHAIRMAN: Water will get contaminated.

SHRI AJIT PANJA: That is one thing. And being a fish eater myself, I do not want to eat fish which are narcotic addicts!

DR. G. VIJAYA MOHAN REDDY: I have requested that chloro hydrate, which is addiction forming and used as and adulterant in toddy, should also be included under these psychotropic substances.

SHRI AJIT PANJA: Madam, what we have done is, whatever our experts have been examining, they have found that these are the psychotropic substances which are dangerous and

[Shri Ajit Panja]

which immediately effect the central nervous system. Therefore, we have detailed them. We have also given a notification on 4th November and in the notification we have notified about small quantities which could be preserved, of heroin, hashish, opium, cocaine and ganja. About the other things mentioned, like pethidin, our experts have not yet advised us. We are going by expert opinion because we have to make a distinction between things used for medicinal purposes, for life-saving drugs, and things used for the purpose of drug trafficking. Heroin, hashish, cocaine, opium, etc. are known to be affecting people through drug trafficking and that is why we are controlling them.

DR. G. VIJAYA MOHAN REDDY: As a medical expert I am saying that chlorohydrate should be included. You please take expert opinion on this.

SHRI AJIT PANJA: I have noted the point made by the honourable Member.

SHRI ANAND SHARMA: Madam, I want to seek only one small clarification.

THE DEPUTY CHAIRMAN: You heard a very long speech. What clarification is left now?

SHRI ANAND SHARMA: First of all, I agree with what the honourable Minister has said about money being made available by the United Nations, and I want to correct my earlier statement because the figures which I gave were of 1986. We congratulate the Government for taking 20 million dollars. I would like to know whether there is a special cell being created to deal with the menace of narco-terrorism which I had mentioned and as confirmed by Interpol. I want to know whether there is some agreement with our neighbouring countries or SAARC to deal with this particular phenomena. Secondly, is there any action plan to create public awareness because you yourself have appreciated the need for a national effort to make it a public movement? But what action plan do you have? Have any provisions been made and is there any coordinated effort with other Ministries like Information and Broadcasting and Human Resource Development? The honourable Minister for Human Resource Development is here. We all have spoken about films which are trying to give respectability to drug mafia.

SHRI AJIT PANJA: So far as the first point is concerned, we have examined that. We have not got any positive evidence of connection between the drug-traffickers and terrorists, but they are under strong suspicion whether there is any such thing. I also read in one of the papers published in a foreign country. They have coined the word "narcoterrorism". No evidence has been wholly established that there is an immediate connection. But there is a strong suspicion and watch. We are looking. I also read in one of the papers obvious reasons, I am not going into the details here.

So far as the second point of an action plan of publicity and public opinion is concerned, yes, we have formed an action plan. We have involved the Information and Broadcasting Ministry. In fact, the Minister of Information and Broadcasting and the State Minister are members of the coordination committee, Cabinet Sub-Committee which is examining, looking into complaints which we are getting against serials that they are encouraging use of narcotic drugs rather than combating the evil. Advertisements in the print media are also being given. If the hon. Member, after the house adjourns, will get some time to watch the television, then he will find that we have improved with the co-operation of the

Information and Broadcasting Ministry.

THE DEPUTY CHAIRMAN: The question is:

'That the Bill to amend the Narcotic Drugs and Psychotropic Substances Act, 1985, as passed by the Lok Sabha, be taken into consideration.'

The motion was adopted.

THE DEPUTY CHAIRMAN: We shall now take up clause-by-clause consideration of the Bill. The question is:

"That clauses 2 to 22 stand part of the Bill."

The motion was adopted.

Clauses 2 to 22 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI AJIT PANJA: Madam, I move:

"That the Bill be passed."

The question was put, and the motion was adopted.

VALEDICTORY REMARKS ON THE CONCLUSION OF THE SESSION

THE DEPUTY CHAIRMAN: Before I adjourn the House, I would like a little more indulgence of hon. Members. Everybody has taken his time. Now, I think, it is for me to take a little bit of time and give a little time to our Minister of Parliamentary Affairs also. He hardly ever speaks. His presence is only felt by his sitting over there.

Hon. Members, the current winter session of the House is about to come to and end in a few moments from now. Before I adjourn the House, I would like to thank all Members on behalf of the Vice-Chairmen and on my own behalf for the kind cooperation extended to us by all sections of the House for the smooth and orderly conduct of the proceeding.

Hon. Members, I think, compared to the happenings in the last few sessions, we had a smooth sailing in this session excepting a few ripples here and there. And this reminds me an Urdu couplet:

चला जाता हूं यों हंसता खेलता
मोजे हवादिस से,
अगर आसानियां हों जिन्दगी दुश्वार
हो जाय।

I think the few ripples made our session a little lively. If I may say, occupying the Chair once again I did not have much difficulty in getting the co-operation of the Members of the House and the Secretariat. Consequently, we were able to discuss a number of matters confronting the nation and the people in a comparatively dispassionate and calm atmosphere During this session comprising 22 sittings spread over 156 hours, there were four Short Duration Discussions on difficulties faced by the farming community, the Bofors deal, the performance of the Indian contingent in the Seoul Olympic Games and the functioning of Air India and Indian Airlines. The rise of prices of essential commodities was discussed through a Calling Attention. The Sarkaria Commission Report on Centre-State relations and the National Housing Policy were also discussed threadbare by Members. Members had the opportunity to ventilate public grievances through more than 200 Special Mentions and, I suppose, equal number of associations and dissociations. Members sought clarifications on the 14 policy statements made by the Ministers in the House. The House cleared 10 Bills including two Constitution Amendment Bills. This morning we took a very significant and momentous decision to lower the voting age from 21 to 18 years by passing the Sixty-first Amendment to the Constitution. Someone has said that history is not